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QUESTION 1

The Equal Pay Act of 1963 prohibits discrimination on the basis of sex in the payment of wages or benefits, to men and women who perform substantially equal work for the same employer, in the same establishment, and under similar working conditions. The law defined substantial equality of job content on four factors. Which one of the following is not one of the four factors this law defines?

- A. Effort
- B. Working conditions
- C. Skill
- D. Education

Correct Answer: D

The Equal Pay Act of 1963 defines the substantial equality of job contents based on skills, effort, responsibility, and working conditions. Answer options C, A, and B are incorrect. Skill, effort, and working conditions are defined as part of the Equal Pay Act of 1963.

QUESTION 2

What is the FairPay amount that defines, what a person makes, to be considered highly compensated?

- A. \$110,000 or more
- B. \$150,000 or more
- C. \$100,000 or more
- D. \$125,000 or more

Correct Answer: C

FairPay determines that a person earning \$100,000 or more is considered to be highly compensated. Answer options A, D, and B are incorrect. The amount is \$100,000 or more, not specifically \$110,000, \$125,000, or \$150,000.

QUESTION 3

You are a HR Professional for your organization and you're educating your staff on the Pregnancy Discrimination Act. Which one of the following statements about the Pregnancy Discrimination Act is not true?

- A. Pregnancy related benefits cannot be limited to married employees.
- B. Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees.
- C. If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy-related conditions.

D. An employer is allowed to refuse to hire a pregnant woman because of the imminent time frame of the needed leave to deliver and care for the child.

Correct Answer: D

An employer cannot refuse to hire a woman based on her pregnancy. Answer options B, A, and C are incorrect. These are true statements and are part of the Pregnancy Discrimination Act.

QUESTION 4

As an HR Professional you should be familiar with the terminology, practices, and rules governing union-based strikes. An organization utilizes union labor and non-union labor in their operations. The union goes on a strike; so the organization shifts work to the non-union labor to offset the effects of the strike. If the union labor decides to picket the operations of the non-union labor, what term is assigned to this process?

- A. Double Breasting Picketing
- B. Common situs picketing
- C. Wildcat strikes
- D. Sympathy strike

Correct Answer: A

When a union is on a strike and the organization shifts work to non-union operations, the union can picket the non-union operations. This is called a double breasting picket. Answer option D is incorrect. A sympathy strike occurs when nonstriking workers don't cross the picket line of striking workers.

Answer option B is incorrect. The common situs picketing happens when members of a picketing labor union picket a workplace in which multiple employers work. This could include employers who the picketers don't have a disagreement

with.

Answer option C is incorrect. A wildcat strike is when a collective bargaining agreement restricts strikes, but workers strike anyway.

QUESTION 5

Mark is a HR Professional for his organization and he has been given the assignment to create an Affirmative Action Plan for his company. As Mark creates this document, which one of the following is not required to be in the Affirmative Action Plan?

- A. Placement Goals
- B. Job Group Analysis
- C. Compliance Reviews
- D. Designation of Responsibility

Correct Answer: C

Compliance reviews are not part of an Affirmative Action Plan. The components of an Affirmative Action Plan are designation of responsibility, organizational display or workforce analysis, job group analysis, availability analysis, utilization analysis, placement goals, action-oriented programs, identification of problem areas, and internal audits and reporting system. Answer options D, B, and A are incorrect. Designation of responsibility, job group analysis, and placement goals are part of an Affirmative Action Plan.

QUESTION 6

Sexual harassment is a form of sex discrimination and it is illegal in the US based on what law?

- A. Title VII of the Civil Rights Act of 1964
- B. ADA and Rehabilitation Act of 2008
- C. ADEA of 1967
- D. Fair Labor Standards Act of 1958

Correct Answer: A

Title VII of the Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, or national origin.

Answer option D is incorrect. The Fair Labor Standards Act of 1958, also known as the Equal Pay Act, prohibits sex-based wage discrimination.

Answer option C is incorrect. ADEA of 1967 prohibits discrimination in employment on the basis of age (40 years or older).

Answer option B is incorrect. Americans with Disabilities Act (ADA) and Rehabilitation Act of 2008 make important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of

EEOC's ADA regulations.

QUESTION 7

The management and union are proceeding to an arbitration hearing that will be conducted by an arbitration panel. Which one of the following best describes the makeup of the arbitration panel?

- A. There are three arbitrators all of whom are randomly selected to serve from a pool of pre- approved management and union arbitrators.
- B. There are three arbitrators all of whom must be approved to participate by the management and the union.
- C. There are three arbitrators, one selected by the management, one selected by the union, and a neutral arbitrator whom both management and union approve of.
- D. There are three arbitrators, all of whom are selected by the party not bringing the grievance.

Correct Answer: C

An arbitration hearing by a panel typically uses three arbitrators. One arbitrator is selected by the management, one by the union, and one is approved by both management and union. Answer option D is incorrect. The three arbitrators are

not selected by just one party. Answer option B is incorrect. Management gets to approve one arbitrator, the union gets to approve one arbitrator, and both parties approve the neutral arbitrator. Answer option A is incorrect. The arbitrators are not randomly selected.

QUESTION 8

Fred is a union employee who has been summoned by the management to an investigatory hearing regarding his conduct. Fred would like to have a union representative with him at the meeting. What is the name of the right that allows Fred to have a union representative with him at the meeting?

- A. Management Rights
- B. Bumping Right
- C. Right of Way
- D. Weingarten Right

Correct Answer: D

The Weingarten Right is a right based on the US Supreme Court case NLRB v. Weingarten in 1975. This case establishes the right of a union member employee to have a union representative present at investigatory meetings with management.

Answer option B is incorrect. The bumping right is the right of a senior employee whose position may be eliminated, and who opts to take the position of a less senior employee instead of losing the employment altogether.

The less senior employee is "bump" out of employment by the senior employee. Answer option C is incorrect. Right of way is not a valid term for this scenario. Answer option A is incorrect. Management rights describe the ability of

management to manage their organization the way they see fit unless the management approach contradicts a union labor contract.

QUESTION 9

Robert is the HR Professional for his organization and he's speaking with the federation chairman about the labor and the direction of unions. What is a federation?

- A. A federation is a group of national unions.
- B. A federation is the same as a union.
- C. A federation is a union that has international members.
- D. A federation is the governing body of a union.

Correct Answer: A

A federation is a collection of national unions. Federations usually lobby on behalf of its union members to speak collectively for the labor which the federation represents. The AFL-CIO is one of the largest federations.

Answer option B is incorrect. A federation is not the same as a union. Federations are made up of unions.

Answer option is incorrect. A federation represents national unions, not international unions. Answer option D is incorrect. A federation is not the governing body of unions. Federations do not get involved with bargaining or contract administration.

QUESTION 10

You are an HR Professional for your organization. You and your supervisor are reviewing the EEO reporting requirements for your company to comply with the reports your firm should file. Which EEO Report is a survey, collected every other year on even calendar years?

- A. EEO-4 Report
- B. EEO-5 Report
- C. EEO-3 Report
- D. EEO-1 Report

Correct Answer: C

The EEO-3 Report, formally known as the Local Union Report, is collected on even years. Answer option D is incorrect. The EEO-1 Report is collected yearly for firms with 100 or more employees. It reports the race, ethnicity, and gender and

job distribution of the organization. Answer option A is incorrect. The EEO-4 Report, formally known as the state and local government report, is collected on odd years.

Answer option B is incorrect. This report, formally known as the Elementary-Secondary Staff Information Report, is collected by the EEOC, the Office for Civil Rights, and the national Center for Education Statistics of the Department of Education. It is collected in even numbers for school districts with 100 or more employees.

QUESTION 11

As an HR Professional you must be familiar with several different lawsuits and their affect on human resource practices today. What legal case found that a test that has an adverse impact on a protected class is still lawful as long as the test can be shown to be valid and job related?

- A. Washington versus Davis, 1976
- B. Griggs versus Duke Power, 1971
- C. McDonnell Douglas Corp. versus Green, 1973
- D. Albemarle Paper versus Moody, 1975

Correct Answer: A

Washington versus Davis is correct. Two African Americans were denied positions at the Washington DC police department because of their performance on a job-related test. The US Supreme Court ruled against the plaintiffs and deemed that the test did not violate the due process clause. Answer option B is incorrect. The Griggs versus Duke Power lawsuit was heard in the US Supreme Court. This case, which preceded the Civil Rights Act of 1964, centered on

a policy, Duke Power Company had of segregating employees by race. Answer option C is incorrect. McDonnell Douglas Corp. versus Green, 1973 centered on a race discrimination case regarding the burdens and nature of proof in proving a Title VII of the Civil Rights Act of 1964. Answer option D is incorrect. Albemarle Paper versus Moody, 1975 dealt with racial discrimination and the responsibilities of organizations to offer back pay to individuals that were racially discriminated. The racial discrimination may have prevented certain employees from advancing in the organization.

QUESTION 12

what nonmathematical forecasting technique uses rounds of anonymous surveys among participants to determine consensus on the direction of employment trends, candidate selection, or other forecasting topics?

- A. Delphi Technique
- B. Qualitative forecast
- C. Management forecast
- D. Trend analysis

Correct Answer: A

The Delphi Technique is a nonmathematical forecasting technique to find consensus. The approach uses rounds of anonymous surveys to remove influence of parties and repercussion of opinions. Answer option C is incorrect. A management forecast is a nonmathematical forecasting technique that relies on organization's managers as a source of expert judgment. Answer option B is incorrect. Qualitative forecast is a generic term for a qualified forecast based on given information, experience, or preferences. Answer option D is incorrect. Trend analysis is a forecasting method but it is a mathematical model to predict likely outcomes.