

Question:

Let's assume a company is made up of 75 employees. The company provides medical benefits to all employees who work over 20 hours per week. Which of the following is NOT a required notification to full-time regular new hire employees?

- (A) None of the above
- (B) Rights according to Mental Health Parity Act
- (C) Unemployment insurance benefits
- (D) Rights according to Newborns' and Mothers' Health Protection Act
- (E) Rights according to Women's Health and Cancer Rights Act

The correct answer(s):

- (C) Unemployment insurance benefits

Explanation:

Employers are not required to provide a notice about unemployment insurance benefits rights to new hires. Employees are usually notified of this benefit right when they are terminated involuntarily. The unemployment benefits rights notice explains what an individual needs to do in order to obtain unemployment compensation while in between jobs.

However, the employer should provide information to new hires regarding their rights in terms of the Mental Health Parity Act, the Newborns' and Mothers' Health Protection Act, and the Women's Health and Cancer Rights Act. The Mental Health Parity Act prevents a group health plan from placing annual or lifetime dollar limits on mental health benefits that are lower than annual or lifetime dollar limits for medical and surgical benefits offered under the plan. The Newborns' and Mothers' Health Protection Act requires group health plans that offer maternity coverage to pay for at least 48-hours of hospital stay following childbirth (96-hours for a Cesarean section).

Finally, the Women's Health and Cancer Rights Act provides protections to patients who choose to have breast reconstruction in connection with a mastectomy.

Question:

Which of the following categories describes those employees that are paid at the top 10% of all employees within a 75 mile radius of a site location?

- (A) Highly compensated employees
- (B) Key employees
- (C) Executives
- (D) Board of Directors

The correct answer(s):

- (B)** Key employees

Explanation:

This is the definition of key employees, as defined by FMLA. Highly compensated employees are employees who own at least 5% of the firm and/or has a salary of \$90,000 in compensation in 2002 (indexed annually) or is amongst the 20% highest paid, as defined by ERISA. Executives are likely to be the top 10% paid within a 75 mile radius of a site location, but this does not necessarily have to be true. Finally, the Board of Directors would not even be considered because they are not employees.

Question:

You learn how to use Peoplesoft applications to create personnel reports. Which of the following best describes the type of learning curve that is associated with this task?

- (A) Plateau curve
- (B) S-shaped curve
- (C) Increasing returns
- (D) Decreasing returns

The correct answer(s):

- (C) Increasing returns

Explanation:

This task has an increasing return learning curve. Increasing return learning curves involve learning something completely new, like a software application. On the other hand, decreasing return learning curves involve learning about mostly routine tasks. For example, an individual learns how to type from 0 to 40 words per minute within 2 days, but is only able to type at 45 words per minute after learning to type for an additional 7 days. In contrast, S-shaped curves describe learning a task that is initially difficult and requires some sort of insight. Therefore, the curve is initially an increasing return curve and then becomes a decreasing return curve. For example, an engineer who is trying to debug a programming error initially has difficulty in solving the problem. After having some insight, the engineer is able to solve the problem relatively quickly. After that, little further learning occurs based on that insight. Finally, plateau learning curves involve learning that is initially very fast and then flattens out with no progress afterwards. For example, plateau learning occurs when an individual learns how to fill out an I-9 Form.

Question:

Under the Rehabilitation Act, which of the following does NOT define an individual with a disability?

- (A) Any individual who displays mitigating measures
- (B) Any individual who is perceived as having an impairment that substantially limits one or more of his or her major life activities
- (C) Any individual who has a physical or mental impairment that substantially limits one or more of his or her major life activities
- (D) Any individual who has a record of an impairment that substantially limits one or more of his or her major life activities

The correct answer(s):

- (A)** Any individual who displays mitigating measures

Explanation:

Although mitigating measures, like the effect of medications or medical aids, can be one visible sign of someone with a disability, not all mitigating measures substantially limit a major life activity. Therefore, the individual may not be defined as someone with a disability. However, any individual who has, who has a record of, or who is perceived as having a physical or mental impairment that substantially limits one or more of his or her major life activities is defined as being disabled.

Question:

Which of the following is a lawful action by an employer?

- (A) Refusing to bargain with an NLRB-certified union
- (B) Limiting use of facilities to unions for meetings and bulletin board postings
- (C) Interfering with, restraining, or coercing employees in the exercise of their union rights
- (D) Dominating and supporting a labor organization

The correct answer(s):

- (B)** Limiting use of facilities to unions for meetings and bulletin board postings

Explanation:

An employer may limit use of facilities to unions for meetings and bulletin board postings. In addition, the employer has the right to free speech, the right to file unfair labor practice charges against unions, and the right to discipline or terminate employees for misconduct or negligence under the standard of "just cause" or "proper cause". However, employers are strictly forbidden from unfair labor practices (ie dominating and supporting a labor organization; refusing to bargain with an NLRB-certified union; and interfering with, restraining, or coercing employees in the exercise of their union rights).

Question:

What is the primary difference between arbitration and mediation?

- (A) Mediation allows an external, impartial third person to examine a complaint and the facts
- (B) Mediation is non-binding and does not impose settlement
- (C) Arbitration is more formal and arbitrators are selected by employers
- (D) Mediation is more formal and mediators are selected by employers

The correct answer(s):

- (B)** Mediation is non-binding and does not impose settlement

Explanation:

The primary difference between arbitration and mediation is that mediation is non-binding and does not impose settlement. Most arbitration cases allow very few limited appeal rights to the courts after the final and binding decision of the arbitrator. Another difference between arbitration and mediation is that mediation tends to be more informal than arbitration. However, usually both parties have some power in selecting the arbitrator. The employer might initially select an arbitrator. However, the other party will have the right to decline and refuse the use of the chosen arbitrator. At this point, the employer will attempt to find another arbitrator that both parties are mutually happy with.

Question:

Which of the following timelines most accurately represents an individual's career development stages?

- (A) Occupational preparation -> early career establishment & achievement -> organizational entry -> mid-career -> late career
- (B) Organizational entry -> Early career establishment & achievement -> occupational preparation -> mid-career -> late career
- (C) Organizational entry -> Occupational preparation -> Early career establishment & achievement -> mid-career -> late career
- (D) Occupational preparation -> organizational entry -> early career establishment & achievement -> mid-career -> late career

The correct answer(s):

- (D)** Occupational preparation -> organizational entry -> early career establishment & achievement -> mid-career -> late career

Explanation:

The typical careers progression begins with 1) preparing for the occupation, 2) entering an organization, 3) establishing an early career, and then 4) passing to mid- and late-career. For example, a student who wants to become a Certified Public Accountant (CPA) may decide to prepare himself by majoring in accounting. After applying for several jobs, he obtains a job at an accounting firm. He enters the organization and establishes himself in his early career. After working 3 years, he is considered to be in his mid-career. He is made a Senior Accountant because he has a solid understanding of the discipline. After working for the organization for 10 years and moving through several mid-manager positions, he is made a Vice President in his late career.

Question:

Which of the following is NOT an unfair labor practices that may result in an invalid election?

- (A) Threat of loss of jobs or benefits by an employer
- (B) Employer grants or promises further benefits
- (C) Employer makes "captive audience" campaign speeches to assembled groups of employees
- (D) Actual use or threat of physical force or violence

The correct answer(s):

- (C) Employer makes "captive audience" campaign speeches to assembled groups of employees

Explanation:

An employer is able to make "captive audience" campaign speeches to assembled groups of employees. However, the employer must make sure that those speeches do not include the threat of loss of jobs or promises of benefits by an employer if employees agree not to join the union. In addition, the employer is not able to actually use or threaten to use physical force or violence. The employer also must not threaten to close down the plant or transfer, layoff, terminate or assign employees more difficult work tasks because they engaged in union or protected concerted activity. An employee's free choice must be maintained.

Question:

Which of the following groups of employees is ineligible to vote in a union election?

- (A) Employees who are on vacation
- (B) Striking workers who have been permanently replaced where the election is within 12 months of the commencement of the strike
- (C) Employees who led the initiative for a union
- (D) Employees who have been permanently laid off or discharged

The correct answer(s):

- (D)** Employees who have been permanently laid off or discharged

Explanation:

In general, the employees who are eligible to vote in a union election are those employees that have been identified as being a part of the bargaining unit. In addition, the employees must be on payroll during both the payroll period immediately before the date of the "direction of election" and the payroll period preceding the date of the election. Employees who are presumed to have a lack of continued interest in the unit are not eligible to vote in a union election. This includes 1) employees who have been permanently laid off or discharged or 2) employees who are on a leave of absence and who will not be automatically returned to work at the end of the leave. There are some additional exceptions and specifications for employees who are on military leave, sick leave, vacation, and temporary layoff. Employees on any of these leaves as well as those striking workers who have been permanently replaced where the election is within 12 months of the commencement of the strike may still be eligible to vote.

Question:

An individual is compensated by an organization for engineering efforts. The individual is required to work full-time for the organization during normal work hours. This individual is BEST classified as a(n):

- (A) Affiliate
- (B) Independent contractor
- (C) Nonexempt employee
- (D) Exempt employee

The correct answer(s):

- (D) Exempt employee**

Explanation:

This individual would be considered an employee, and not an independent contractor, because he is required to work full-time for the organization during normal work hours. Although we aren't provided detailed information regarding salary, we can assume that the individual makes more than \$250/ per week due to the profession. In addition, engineering is work that requires specialized skills and requires the individual to exercise discretion. Therefore, we would classify the individual as an exempt employee, and not a non-exempt employee. An affiliate is not a relevant classification in this scenario. An affiliate is an entity that has an interest in and directly monetarily benefits from the sales of an organization's product.

Question:

An OSHA officer has visited the office to perform an inspection. After the opening conference, he performed a physical inspection. Which of the following is NOT a part of the physical inspection stage?

- (A) Review written safety programs and checks compliance through employee training
- (B) Review the OSHA log for the current year and two full previous years
- (C) Discuss the scope of the inspection
- (D) Check for posting of the OSHA safety and health poster

The correct answer(s):

- (C) Discuss the scope of the inspection

Explanation:

The scope of the inspection is covered in the opening conference. In addition, during this opening conference, the OSHA officer will disclose why the establishment was selected and the purpose of the visit. During the physical inspection stage, the officer will check for OSHA required postings, review injury and illness records, collect samples, take photographs and videotapes, and perform interviews. When the OSHA office is finished with the inspection process, he/ she will have a closing conference with the employer.

Question:

In order to confirm the reliability of an instrument, a scientist performs one form of a test on the same audience on two separate occasions, with a specified time interval between tests. Then these results are correlated. This is an example of which of the following testing methods?

- (A) Internal consistency
- (B) Test/ retest
- (C) Quasi-experiment
- (D) Parallel forms

The correct answer(s):

- (B)** Test/ retest

Explanation:

Memorizing the definitions of the various tests, charts, etc. can be difficult. Therefore, you should always first think about the inherent meaning of the word itself. For example, the above is an example of something that sounds like taking one test, followed by the same test again. In this case, the above reflects the test/ retest method. On the other hand, internal consistency sounds like one thing having the same consistency throughout its parts. For example, jello has the same consistency throughout its form. In fact, internal consistency is a testing method that test reliability. Internal consistency divides two equivalent parts of one whole test to measure the degree to which they are all measuring the same variable. In contrast, parallel forms sounds like two similar tests being performed. In fact, parallel forms is a testing method that involves two tests (one is administered shortly after the other) that are identical in every way except for the actual items included. Finally, a quasi-experiment is an experimental design that assigns one group to be an experimental group and the other the control group, unlike a classic experiment that randomly selects groups. It compares the results of groups before and after the installation of a special program or new technique.

Question:

What is the next step for a union if the employer does not voluntarily recognize the union after the union submits the required number of signatures of eligible employees on authorization cards?

- (A) Petition to the NLRB for an election
- (B) Defining a bargaining unit
- (C) Organizational picketing
- (D) Initiate a union organizing campaign

The correct answer(s):

- (A) Petition to the NLRB for an election

Explanation:

The general stages of the union organizing process are made up of: 1) union organizing campaign, 2) authorization card signatures, 3) final determination of the bargaining unit, and 4) election and certification of results. The National Labor Relations Board (NLRB) will hold a pre-election hearing to make a final determination of the bargaining unit composition after the union has petitioned for an election. Prior to filing the petition, the union must have successfully obtained enough employee signatures on the authorization cards. After the hearing has taken place and the bargaining unit composition has been established, the NLRB will authorize an election. If the union is able to win a simple majority and after the results are certified, the NLRB will recognize and certify the union as the exclusive representative of the bargaining unit.

Question:

Which of the following describes a framework that links business strategies with day-to-day activities?

- (A) Organizational Values
- (B) Strategic Plan
- (C) Balanced Scorecard
- (D) Management by Objective (MBO)

The correct answer(s):

- (C) Balanced Scorecard

Explanation:

The balanced scorecard method provides a general framework for defining, implementing and sustaining business strategies at all levels and throughout the organization by linking that strategy to each individual employee's performance measurement system. Specifically, organizations will pursue success in four general areas, which are based on the concerns of an organization's primary stakeholders: (1) financial (somewhat de-emphasized in the balanced scorecard method), (2) customer satisfaction and needs, (3) optimal performance of internal business processes, and (4) the capacity of an organization for learning, growth, and innovation. On the other hand, management by objective (MBO) is a performance appraisal format. It appraises the performance of an individual, based on the individuals meeting the goals/objectives established for them within a certain time frame. In contrast, a strategic plan is a detailed plan (overall plan, implementation steps, and evaluation criteria) that identifies the activities that an organization/ group will pursue to meet specified objectives. Both the MBO format and strategic plan do not necessarily tie their objectives to specific business strategies. Finally, an organization's values do not have anything to do with business strategies. They are the acceptable standards which govern the behavior of individuals within the organization- its general ethical code of conduct.

Question:

Which of the following data gathering methods is the LEAST time consuming?

- (A) Interviews
- (B) Observations
- (C) Focus groups/ group discussions
- (D) Assessment Centers

The correct answer(s):

- (B) Observations**

Explanation:

Observations are not necessarily time consuming if they are performed by a highly skilled observer that can define and understand the content. However, some disadvantages of observations are that they can make employees feel uncomfortable and that data collection can only be done during the work day. On the other hand, focus groups/ group discussions, interviews, and assessment centers all have the problem of being time-consuming.

Question:

Which of the following is NOT a measurement technique that measures the effectiveness of an internal process when an audit of the process is implemented?

- (A) Cost-benefit analysis
- (B) Correlational study
- (C) Break-even analysis
- (D) Return on Investment (ROI) analysis

The correct answer(s):

- (B) Correlational study**

Explanation:

Effectiveness measures the extent to which objectives are achieved. A correlational study would not be used to measure the effectiveness of a single internal process. Instead, it is a study that measures and correlates the relationship between several variables in an organization. For example, turnover may be correlated with employee satisfaction. On the other hand, return on investment, cost-benefit analysis, and break-even analysis are all techniques that measure the effectiveness and efficiency of a single process. For example, when human resources professionals are presented with the suggestion of outsourcing the administration of benefits, they will need to identify when such a process would make sense. For example, it may make sense for a 300-employee organization, but not make sense for a 20-employee organization. Break-even analysis would define at what number of employees such a process would make sense. Another method of analysis may be to identify the cost and the benefits of outsourcing. The costs and benefits may not only include financial factors, but also qualitative considerations. For example, a cost may be the financial cost of utilizing an outside service as well as the inhibition employees may feel in working with outsiders due to the lack of trust. Finally, a very popular analysis method is measuring the return on investment. For example, the return on investment of hiring a benefits administrator may be weighed against the return on investment by outsourcing this function.

Question:

According to situational theorists, which of the following leadership style is the most effective in managing unskilled, entry-level workers?

- (A) Delegating
- (B) Selling
- (C) Participating
- (D) Telling

The correct answer(s):

- (D) Telling**

Explanation:

According to situational theorists, the most effective leadership style in this situation would be "telling". This leadership style provides a high number of tasks and a low level of emotional support. The leader provides specific instructions and closely supervises the employees' performance. On the other hand, in a "participating" leadership style, the leader provides the subordinate a high level of emotional support and a low level of tasks. This leadership style is founded on two-way communication between the leader and the follower. Subordinates share in the decision-making and in the establishment of goals for the group, organization, or team. In contrast, "delegating" is most appropriate for a highly skilled, knowledgeable workforce. The leader would turn over responsibilities for decision making and implementation to the workforce. Finally, in "selling", the leader would manage by giving many tasks and by providing a great amount of emotional support to their employees or subordinates. These leaders make decisions on courses of action and then persuade their subordinates to buy into their decisions by explaining decisions and providing opportunity for clarification.

Question:

Which of the following groups would NOT be considered to be subject matter experts (SME's) of a job function?

- (A) Direct reports
- (B) Supervisors
- (C) Current incumbents
- (D) Trained job analysts

The correct answer(s):

- (A) Direct reports

Explanation:

Subject matter experts are those individuals who have extensive training or experience in a particular area and performs tasks which require a high degree of problem solving, data analysis, and synthesis. They can be used as sources of information regarding a specific topic. In this case, the topic is determining the responsibilities and tasks of a job function. Direct reports would not be very good sources of information. Although direct reports may see aspects of their manager's job, the direct reports will not see the full compass of the job. However, supervisors, current incumbents, and trained job analysts should be very familiar with the responsibilities and qualifications needed for a job function. Supervisors can do this because they manage all of the individual's work. In addition, the supervisors have probably performed those same functions before becoming a supervisor. Secondly, incumbents will actually be performing those same job functions. Finally, trained job analysts are a good source of information because they daily analyze such job functions in detail.

Question:

The Worker Adjustment and Retraining Notification Act (WARN) requires a minimum of 60 days' notice if a plant closing or mass layoff occurs. The employer is NOT required to give notice to which of the following groups?

- (A) State dislocated worker units
- (B) Appropriate local government
- (C) EEOC
- (D) Affected employees or their union representatives

The correct answer(s):

- (C) EEOC

Explanation:

WARN does not require employers to notify the EEOC (Equal Employment Opportunity Commission) of a plant closing or mass lay-off. The EEOC is the administrative agency delegated authority to accept, investigate, resolve, or make findings related to charges of employment discrimination, specifically for rule making and enforcement of Title VII of the Civil Rights Act. However, employers are required to notify affected employees or their union representatives, state dislocated worker units, and the appropriate local government with a minimum of 60 days notice.

Question:

According to Daryl Conner, in what order do individuals respond to change?

- (A) Anger, Denial, Bargaining, Depression, Acceptance
- (B) Anger, Denial, Depression, Bargaining, Acceptance
- (C) Denial, Anger, Bargaining, Depression, Acceptance
- (D) Denial, Anger, Depression, Bargaining, Acceptance

The correct answer(s):

- (C) Denial, Anger, Bargaining, Depression, Acceptance

Explanation:

Although an individual may regress into prior stages and repeat some stages, the general order that individuals respond to change is 1) denial of the need for change 2) anger due to the required change 3) attempt to bargain so that complete change is not required 4) depression when they cannot fight against the change and 5) acceptance of the new change.