

# Moving the Mindset

## Disability and Bias in Interviewing & Hiring



- Definition
- In the Workplace
- How to Address It

## An Introduction for Employers & Jobseekers

“Making a quick categorization of people and situations was important in human evolutionary history, and recognition of this tendency is the first step to dealing with it and overcoming it.” -- *Ben Dattner, Ph.D., Dattner Consulting*

- Workplace Bias
- EEOC and DOJ Examples
- Interviewing, Hiring Process
- Metrics, Management, Culture



The screenshot shows the homepage of AbilityLinks.org. The header includes the logo and tagline: "The Job Opportunity Website for Persons with Disabilities and Inclusive Employers". A navigation menu contains links for Home, Job Seekers, Employers, Service Providers, Mentoring Opportunities, News, Events, and About Us. A search bar is located on the left. A sidebar on the left provides contact information for job search consultations, including phone numbers (630/909-7443) and email addresses (jduvall@abilitylinks.org, boconnor@abilitylinks.org). The main content area features a news article titled "Recognizing and Managing Interview Bias" by Mark Williams. The article text discusses how employers' hiring decisions can be affected by cultural or individual biases, including implicit bias, and mentions training, experience, and policies. A section titled "BIAS IN THE WORKPLACE" is also visible. On the right side, there is a "Featured Sponsor" section with a logo and a "Smaller Text" link. A vertical list of years (2014 to 2005) is visible on the far right, likely representing a news archive.



AbilityLinks.org<sup>SM</sup>

The Job Opportunity Website for  
Persons with Disabilities and Inclusive Employers

Advocate Health Care

Featured Sponsor

More Sponsors

Smaller Text Larger Text

- Home
- Job Seekers
- Employers
- Service Providers
- Mentoring Opportunities
- News
- Events
- About Us
- Contact Us

Search Website

Go

CONTACT US FOR A JOB  
SEARCH CONSULTATION

630/909-7443

630/909-7444

jduvall@abilitylinks.org

boconnor@abilitylinks.org

### About Us



- Go Members and Sponsors
- Go Sponsorship, Advertising and Membership Opportunities
- Go Brochure
- Go Testimonials
- Go Legal Disclaimer/Privacy Statement

About Us

### FEATURED EMPLOYERS & PARTNERS



RR DONNELLEY

### Greetings and Welcome!

AbilityLinks is a nationwide, web-based community where qualified job seekers with disabilities and inclusive employers meet and gain access to valuable networking opportunities.

If you're an equal opportunity employer seeking to identify qualified candidates with disabilities, you can use AbilityLinks to post jobs, search resumes, and receive applications and resumes from AbilityLinks job seekers. There is no charge to post a job or search resumes.

If you're a person with disability, you are protected by equal opportunity employment law and subject to affirmative action by federal contractors. You can take advantage of your protected status by using AbilityLinks to post a resume and apply for jobs.

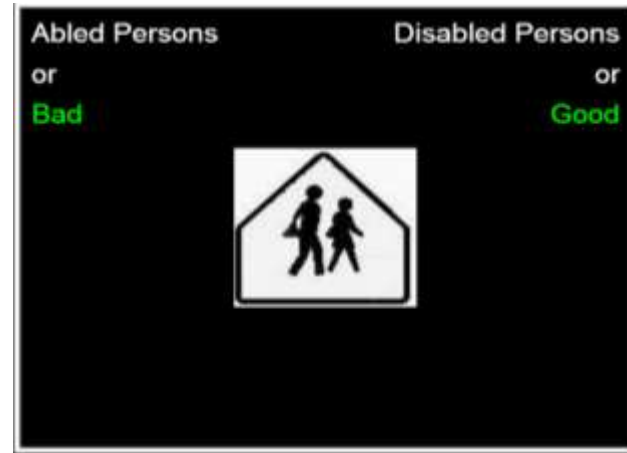
## Mark Williams



- Low Vision Disability
- AbilityLinks
- Family Resource Center on Disabilities
- Chicagoland Business Leadership Network
- Disability Employment Initiative
- Cohen Institute for Mental Health Education
- Professional Assistant Center for Education
- Access Living



Project Implicit<sup>®</sup>



<https://www.projectimplicit.net>

|            |           |
|------------|-----------|
| Age        | Religion  |
| Disability | Sexuality |
| Skin Tone  | Race      |
| Weight     | Gender    |



## The Unstructured Approach

Employer

- Asks 5 candidates to be interviewed individually by associates and partners

Interviewers

- Use free-flowing discussion of topics of interest to the interviewer, such as which school the person studies at and where they play golf

Employer

- Asks interviewers to rank candidates based on how well they “fit” the firm’s image

## The Unstructured Approach

### Advantages

- Determines requisite communication and social skills
- Helps identify compatibility with other employees
- May be modified as needed, or on the fly
- Can help foster decision making between equally qualified candidates

### Disadvantages

- Subjective
- Subject to stereotyping
- Negative answers may be given more weight
- Lacks evidence of validity



# IKEA Job Interview



Overlooking more qualified candidates?

Hiring for the position, or the culture?

Is cultural fit at the expense of innovation?

How do your policies affect the hiring process?

## EEOC v Maxim Healthcare Staffing (March 2014)

- A health care staffing service refused to hire a candidate because of their HIV status
- The assignment involved sitting with patients at a medical facility
- A health exam showed the HIV-positive status but said he was cleared to work
- "Once again, an employer involved in the health care field has impermissibly allowed fear and bias to enter into the hiring process," said EEOC Philadelphia Regional Attorney Debra M. Lawrence

DOJ Settlement  
Florida State University Police Department  
(June 2014)

Florida State  
University Police  
Department

- Asked about disability and other medical conditions through an online application form

Department of  
Justice

- Found the department in violation of the ADA, which does not permit employers to inquire whether an applicant is an individual with a disability or as to the nature of such disability before making a conditional offer of employment



<sup>1</sup>bi·as noun \ 'bī-əs \

: a tendency to believe that some people, ideas, etc., are better than others that usually results in treating some people unfairly

"Bias." Merriam-Webster.com. Merriam-Webster, n.d. Web. 18 June 2014. <<http://www.merriam-webster.com/dictionary/bias>>

## Bias Affects

- Who gets hired
- How employees are evaluated, promoted and compensated
- Productivity, morale, and attrition
- Claims of discrimination
- Employees' access to workplace resources, and opportunities

1b **im·plic·it** adjective \im-'pli-sət\  
: involved in the nature or essence of something though not revealed, expressed, or developed

- Implicit Bias Can Be:
- Unconscious.
  - Favorable or Unfavorable
  - Involuntary
  - Distinct
  - Emotive
  - Unaligned
  - Pervasive
  - Malleable



SEARCH WEBSITE

**CONTACT US FOR A JOB SEARCH CONSULTATION**  
630/909-7443  
630/909-7444  
jduval@abilitylinks.org  
boconnor@abilitylinks.org

**MY ABILITYLINKS**  
[My Account](#)  
[My employed person profile](#)

**FEATURED EMPLOYERS & PARTNERS**  


### Mentoring

- [Profiles of Employed P](#)
- [Create/Edit an Employed Person Profile](#)
- [Find a Mentor](#)

Profiles of Employed Persons with Disabilities

Create/Edit an Employed Person Profile

Find a Mentor

Mentoring

### Welcome Employed Persons

If you're disabled and successfully employed, [post an employed person profile](#). The profile is an opportunity to tell your story and give advice to job seekers and employers who can learn from your experience.

Featured AbilityLinks Member



Presence Health<sup>™</sup>  
Today counts.

Featured AbilityLinks Member



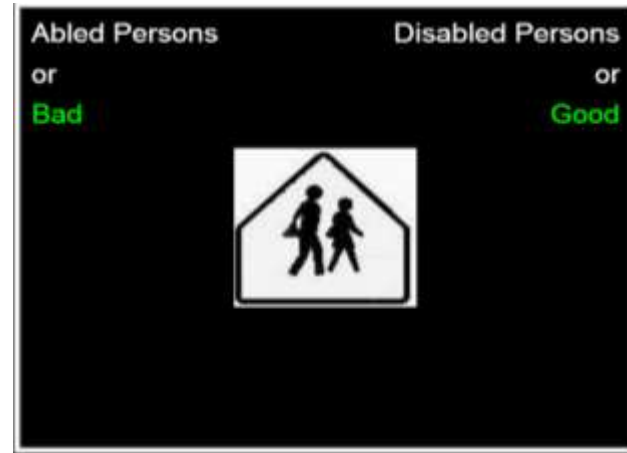
**IMB**  
MARTINBROWER

## Common Interview Biases

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Stereotyping</li></ul>             | <ul style="list-style-type: none"><li>• Performance v. Qualifications</li></ul> |
| <ul style="list-style-type: none"><li>• Inconsistent Questioning</li></ul> | <ul style="list-style-type: none"><li>• All The Same</li></ul>                  |
| <ul style="list-style-type: none"><li>• First Impressions</li></ul>        | <ul style="list-style-type: none"><li>• Impatience</li></ul>                    |
| <ul style="list-style-type: none"><li>• Over-Selling</li></ul>             | <ul style="list-style-type: none"><li>• People Like Me</li></ul>                |
| <ul style="list-style-type: none"><li>• Personal References</li></ul>      | <ul style="list-style-type: none"><li>• Arbitrary expectations</li></ul>        |
| <ul style="list-style-type: none"><li>• Order-Based Preferences</li></ul>  | <ul style="list-style-type: none"><li>• Intuition</li></ul>                     |
| <ul style="list-style-type: none"><li>• Attractiveness</li></ul>           |   |



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<https://www.projectimplicit.net>

|            |           |
|------------|-----------|
| Age        | Religion  |
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| Weight     | Gender    |



## Strategies to Reduce Bias

- Identifying bias free behavior
- Multiple Interviewers
- Training
- Blind Review
- Diverse Interviewers
- Experience

## OFCCP Strategies

- Interview:Hire Comparisons
- Assessments of Effectiveness
- Internal Audits
- Voluntary Self-Disclosure
- Documentation of Outreach And Recruitment

|                      |  |
|----------------------|--|
| Essential Function   | Creating written communications to strengthen relations with specific customers  |
| Structured Questions | What types of written communication did you create in your last position?  |
| Benchmark Answers    | <ul style="list-style-type: none"><li>a) I was not responsible for written communications</li><li>b) I created memos occasionally to other staff</li><li>c) I wrote brochures and advertising copy</li><li>d) I handled the stewardship of customer accounts, which included daily correspondence with customers</li></ul> |

### Developing a Structured Interview

- Competencies to be assessed in the interview
- Main and probe questions (behavioral and situational)
- Rating scale
- Pilot test, interviewer guide, documentation of the development process
- Consensus rating form

### Conducting a Structured Interview

- A comfortable, accessible atmosphere
- Comprehensive notetaking
- Consistent interview length for all candidates; consistent order of questions

### Evaluating a Structured Interview

- Immediately after each interview
- Rating each answer against benchmark answers for that question
- Determine consensus



WE'RE LOOKING FOR  
SOMEONE WHO CAN FLY  
WITH THE EAGLES, SWIM  
WITH THE SHARKS AND  
RUN WITH THE WOLVES.

I CAN'T FLY, SWIM OR RUN,  
BUT AN EAGLE CAN'T CLOSE  
A DEAL, A SHARK CAN'T  
CHARM A CLIENT AND A WOLF  
CAN'T INSPIRE A SALES TEAM!





## Metrics

- Hiring and promotion rates
- Career path movement
- Compensation among different employee groups
- Statistical analyses of performance appraisals to identify patterns of potentially biased performance evaluations

# 89%

## OF EMPLOYEES

In our 2012 employee survey, 89 percent of employees indicated they are treated with dignity and respect and feel they have excellent relationships with their coworkers. Approximately 82 percent felt that the Company has created an environment where people of diverse backgrounds can succeed.

Marathon Oil 2012 Corporate Social  
Responsibility Report

**1**cul·ture noun \ˈkəl-cher\

: the beliefs, customs, arts, etc., of a particular society, group, place, or time

: a particular society that has its own beliefs, ways of life, art, etc.

: a way of thinking, behaving, or working that exists in a place or organization (such as a business)

## Why Culture Matters

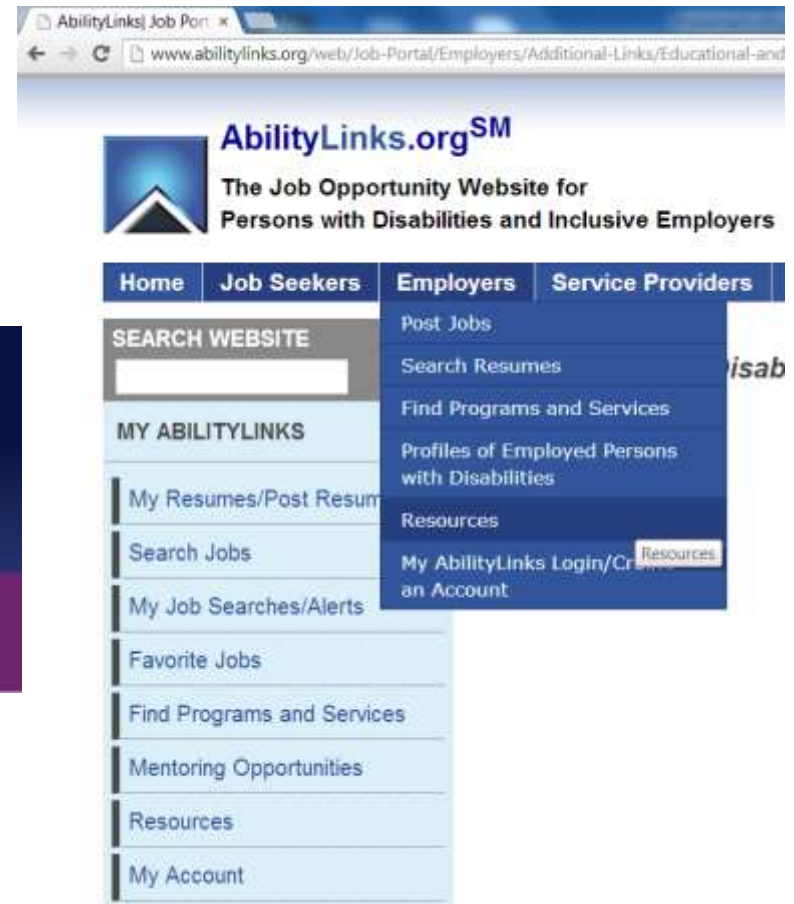


- The assumptions and beliefs of employees drive behavior.
- The collective behavior of employees determines results.
- The results measure performance and indicate if strategic business objectives have been achieved.

# Conclusion



<http://www.dol.gov/odep/pdf/BusinessStrategiesThatWork.pdf>



[www.abilitylinks.org](http://www.abilitylinks.org)

Questions?