eSkill's Compliance with Anti-Discriminatory Guidelines (EEOC)

As an experienced provider of pre-employment online competence testing, eSkill upholds the guidelines stated by *the Equal Employment Opportunity Commission* (EEOC), as well as the regulations comprised in:

- *Title VII of the Civil Rights Act of 1964 (Title VII)*
- *The Age Discrimination in Employment Act of 1967 (ADEA)*
- *The Americans with Disabilities Act of 1990 (ADA)*

I. ADEQUACY OF ONLINE SKILLS TESTING SOLUTIONS ACCORDING TO NON-DISCRIMINATORY REGULATIONS

As stated by the EEOC, the guidelines for equal employment opportunities are not intended to discourage the use of a selection procedure, nor should they be interpreted as such, as long as the selection procedure is valid in accordance with the principles mentioned therein.

eSkill tests meet the main standards that pre-employment tests must respect, i.e.:

✓ **Measure performance parameters consistently and reliably**
eSkill's tests are designed to ensure consistence and accuracy in assessing applicants' skills. As such, if a candidate were to repeat a test recently taken, he or she would obtain a similar test score.

✓ **Measure the parameters that are claimed to be measured**
eSkill's questions, topics, and subjects are given intuitive names that summarize the precise performance parameters they assess.

✓ **Have only content that fits the skills required by the job**
eSkill's customized and job-based assessments are job-relevant, i.e. the questions they comprise measure only the characteristics required for a specific job.

✓ **Avoid measuring skills that can be learned in briefs or on-the-job training sessions**
eSkill's tests do not measure knowledge of company-specific regulations, guidelines, or recommended workflows. The pre-employment assessment tests designed by eSkill are targeted on general skills that are important for given job positions, and certify that test takers with high scores would be accurate performers in the given position, in any company.

II. TEST PROVIDER'S COMPLIANCE WITH GENERAL EEOC REGULATIONS

eSkill's competence tests are developed to objectively and directly test individuals' qualifications and ease the candidate selection process, based on an unbiased evaluation of the applicant's concise skills level and performance potential for a given job opening, regardless of their age, sex, gender, sexual orientation, ethnicity, or religion.

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In compliance with EEOC regulations and other anti-discrimination guidelines, eSkill has implemented the following rules:

- Test questions have four difficulty levels (Beginner, Intermediate, Advanced, and Expert) to ensure their applicability for a job's actual level requirement.
- Test questions do not imply that a specific gender is more adequate for a specific action/job/requirement, and do not discriminate against women (in skill areas traditionally considered as being performed by men, such as mechanical or electrical engineering) or against men (in skill areas traditionally considered as being performed by women, such as secretary or nurse).
- Scores are calculated objectively by computer applications, not allowing subjective control that might introduce discriminatory influences.
- Experts review all tests before their implementation to validate them according to EEOC and other anti-discrimination guidelines.

In addition, eSkill tests limit the content that pertains to issues that might be found disturbing. Information pertaining to cataclysms such as earthquakes, tornados, floods, etc., as well as images or references to violence are avoided. The content authored at eSkill does not reflect or imply racial, cultural, or gender stereotypes, and it does not overemphasize one culture, belief, sex, or religion over another.

To sustain eSkill's policy of adherence to equity and anti-discriminatory principles, each step of the test creation and content improvement process is deployed in accordance with internal regulations that certify the product's adequacy to its purpose.

II.a. QUESTION CREATION AND REVIEW

The main directions in establishing eSkill's respect of anti-discriminatory principles when developing content are:

a) Subject Matter Experts (SMEs) Sourcing and Qualification Validity

eSkill uses a network of recruiting resources worldwide to identify SMEs with extensive, current, and practical experience in the subjects they will be authoring and editing. Candidates for question authoring and reviewing must pass a series of similar industry tests as part of the qualification process, to certify their ability to produce questions that will combine into accurate performance indicators.

b) Content Validity

eSkill's tests evaluate the match between a candidate's knowledge, skills, behavior, and performance and the tasks associated with the selected subjects. Our questions are inspired by situations that most commonly occur in the workplace. As such, the tests mimic the tasks required on the job as much as possible.

c) Construct Validity

The criterion of construct validity refers to the assessment of the personality traits that can support job performance for each job opening; for example, evaluating the communication skills of a potential call center representative.

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d) Test Fairness

eSkill's assessments are as fair as possible to test takers of all levels of expertise. The rules for test administration and scoring are clear, consistent, and uniform, and are displayed to all candidates before starting a test.

II.b. TEST ADMINISTRATION

The eSkill test interface is intuitive and does not present unlabeled symbols that may be recognizable only to members of specific cultures.

For disabled test takers, eSkill is WC3 compliant and, with the help of specific software, offers an audio alternative to the text displayed.

Please note that the information required for security reasons at the start of the test does not influence the candidate's test results in any way.

II.c. CUSTOMER FEEDBACK

At any time during the test or after the test session has ended, candidates can give us their feedback on the test they have taken, regardless of their country of provenance, level of expertise, age, sex, etc.

eSkill's Customer Support representatives treat all customers equally, regardless of their country of origin or personal traits mentioned above.

All feedback is treated equally, and is carefully analyzed by the eSkill staff. Any recommended improvements that are valid and/or necessary are applied, regardless of the test taker's personal traits or origins.

III.   CUSTOMERS' COMPLIANCE WITH GENERAL EEOC REGULATIONS

eSkill offers clients all the necessary technical information about the creation and administration of online assessments, but does not take responsibility for the way in which customers apply the tests.

Applicants may differ widely in their knowledge, skills, abilities, interests, and work styles, as well as in other characteristics, and these differences may become apparent after completing tests that gather accurate information about job-relevant characteristics. This type of information helps assess the fit or match between people and jobs. An eSkill client should use assessment tools in a targeted manner, and have a clear understanding of what needs to be measured and for what purpose.

As such, eSkill provides tests that have valid content, but it is the obligation of the test administrator (customer) to apply them properly, i.e. respect the following principles:

III.a. An eSkill client has the responsibility to observe EEOC Guidelines when applying tests created by eSkill, tests customized by the client with help of eSkill's subject questions, or tests authored by the client him- or herself with help of the eSkill Editor.

III.b. Given that clients are able to create their own test content, they are required to use only tests or sets of questions that are unbiased and fair to all applicant groups, and grant equal employment opportunities for all job candidates.

III.c. Clients administering eSkill tests are not allowed to adjust the scores of test results, use different cutoff scores for tests, or otherwise alter the results of tests on the basis of race, color, religion, sex, or national origin of the test taker.

III.d. Clients administering eSkill tests should be aware that it is unlawful to discriminate against people with disabilities who can perform primary job duties that are fundamental and not marginal to the job.

III.e. Clients administering eSkill tests should be aware that it is unlawful to use a test or assessment that creates an adverse impact, unless this is justified by the test being job-relevant. Adverse impact means a substantially different rate of selection in hiring, promotion, or other employment decisions that work to the disadvantage of members of a race, sex, or ethnic group.

III.f. When making an important decision, it is crucial to use the whole-person approach to assess progress or adequacy for the job. Online skills tests measure general abilities or competences, but cannot fully measure personality traits, or benchmark experience with perfect accuracy. Therefore, it is unadvisable to rely solely on an online skills test for the employment, promotion, or training of current or future employees.

It is important that any company using eSkill's tests be careful not only to respect the principles mentioned above, but also to observe the following comprehensive guidelines:

Uniform Guidelines on Employee Selection Procedures

EEOC - Fact Sheet on Employment Testing

U.S. Department of Labor's Guide for Employers on Testing and Selection