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### Question: 1

During the organization of a union, it's possible that the union will gain recognition from the management. The management is then obliged to give the NLRB a list of employees who are eligible to vote in the unionization election. What is the name of the list of such employees called?

- A. Constituent List
- B. Union prospectus List
- C. Excelsior List
- D. Candidate List

**Answer: C**

### Question: 2

There are four components of the HR Impact Model, which affect how a HR Professional may operate within a given environment. Which one of the following is NOT a component of the HR Impact Model?

- A. Consultation
- B. Client
- C. Catalyst
- D. Programs and processes

**Answer: B**

### Question: 3

Holly is a senior worker in her organization and she is a member of the union. Her position will be eliminated in sixty days and she will be released from the company. Rather than being unemployed, Holly asks the union to move her to a less senior position and release a junior employee. If the union agrees to this, what will this term be known as?

- A. Bumping
- B. Displacement
- C. Releasing
- D. Re-organization

**Answer: A**

### Question: 4

As an HR Professional, you must be familiar with the collective bargaining agreements and the process that rights are given, contracts, and union and management cooperation. Consider an arbitration process between the management and the union. What term is assigned to the resolution of the disagreement, by an arbitrator's interpretation of the language of the contract?

- A. Resolution
- B. Interpretation
- C. Decision
- D. Outcome

**Answer: C**

**Question: 5**

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

**Answer: A**

**Question: 6**

Your organization has a retirement benefits plan that is covered by ERISA . Under ERISA, which of the following is your organization required to do for the plan participants?

- A. Provide each participant with plan information, specifically about the features and funding of the plan through a summary plan description at a cost of no more than \$7 per participant, per year.
- B. Provide each participant with plan information, specifically about the features and funding of the plan through a summary plan description at no cost.
- C. Provide each participant with monthly plan information, specifically about the features and funding of the plan through a summary plan description at no more than \$7 per participant, per month.
- D. Provide each participant with monthly plan information, specifically about the features and funding of the plan through a summary plan description at no cost.

**Answer: B**

**Question: 7**

Fran is a HR Professional for her organization and she is interviewing applicants for a warehouse position. One of the candidates has written on his application that he speaks Spanish. Fran interviews this candidate in Spanish and interviews all other candidates in English. This is an example of what?

- A. Disparate treatment
- B. Disparate impact
- C. Accommodation
- D. Perpetuating past discrimination

**Answer: A**

**Question: 8**

As a Senior HR Professional, you should be familiar with non-monetary rewards that your company provides for its employees. Which of the following is an example of non-monetary reward?

- A. Satisfaction from challenging and exciting assignments
- B. Esteem from working with other talented people

- C. Cash compensation
- D. On-site cafeteria

**Answer: D**

### **Question: 9**

Your organization will be using the point factor technique in their evaluations of job performance. You need to communicate what the point factor technique accomplishes as you're the HR Professional for your organization. Which one of the following best describes the point factor technique?

- A. Specific compensable factors are identified and then performance levels within the factors are documented.
- B. Specific compensable factors are identified and then performance levels within the factors are **weighted on importance to the employee.**
- C. Performance factors are identified by the employee and then performance levels within the factors are **weighted based on importance to the organization.**
- D. Specific compensable factors are identified and then performance levels within the factors are documented. The different factors and levels are weighted based on importance to the organization.

**Answer: D**

### **Question: 10**

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

**Answer: C**

### **Question: 11**

Your manager has approached you regarding her desire to outsource certain functions to an external firm. She would like for you to create a document to send to three vendors asking them for solutions for these functions that your organization is to outsource. What type of a procurement document would you create and send to the vendors in this instance?

- A. Request for Proposal
- B. Request for Quote
- C. Invitation for Bid
- D. Request for Information

**Answer: A**

### **Question: 12**

Kelly's organization has posted a new job opening for their organization. This job opening is for a woman to be the restroom attended, for all women's restrooms and locker rooms, in their organization. Kelly believes,

however, that the requirement for the applicant to be a female is a violation of the Title VII of the Civil Rights Act of 1964. Which one of the following is the best answer for this scenario?

- A. This is an example of an exception by bona fide occupational qualification to the Title VII of the Civil Rights Act of 1964
- B. This is an example of a violation of the Title VII of the Civil Rights Act of 1964
- C. The sex of applicants is excluded from the Title VII of the Civil Rights Act of 1964
- D. This is not a violation of the Title VII of the Civil Rights Act of 1964 because there is an equal paying and titled job for the men's restroom and locker rooms in the company

**Answer: A**

### **Question: 13**

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

**Answer: C**

### **Question: 14**

The JHG Company has used discriminatory hiring practices in the past but they adjusted their practices and are following federal laws now to ensure that fair hiring practices are met. However, the JHG Company has an employee referral program as a primary source to recruit new employees. What danger may the JHG Company be exposed to in this scenario?

- A. Perpetuating past unintentional practices
- B. Perpetuating past discrimination practices
- C. Succumbing to an adverse impact
- D. Not finding qualified racially diverse candidates

**Answer: B**

### **Question: 15**

You are a HR Professional for your organization and you're preparing your team for a series of interviews. You want the team to be familiar with the validity types you'll use and encourage in the series of interviews. One of the requirements in the interview process for a graphic designer is, for the graphic designer to use a software program and to create a simple brochure. This is an example of what type of validity?

- A. Construct-related validity
- B. Predictive validity
- C. Criterion-related validity
- D. Content validity

**Answer: D**

**Question: 16**

The Pregnancy Discrimination Act of 1978 prohibits employers from discriminating against employees on the basis of pregnancy, child birth, or other related medical conditions. This law affects organizations having what minimum number of employees?

- A. All organizations with employees must abide by this law
- B. Organizations with 100 or more employees
- C. Organizations with 15 or more employees
- D. This law only addresses federal government employees

**Answer: C**

**Question: 17**

The GHF Corporation is looking to hire four software developers. The average pay for software developers, with the desired skill set, is \$76,000. The GHF Corporation believes that by offering \$80,000 for the starting salary they'll attract better performers than their competitors. What is this scenario an example of?

- A. Lagging the market
- B. Leading the market
- C. Matching the market
- D. Beating the market

**Answer: B**

**Question: 18**

You are an HR Professional for your organization. Your organization employs 120 people in the United States. You are required to file the EEO-1 report for your organization by what date?

- A. April 15 of each year
- B. The anniversary date of your organization reaching 100 employees
- C. January 1 of each year
- D. September 30 of each year

**Answer: D**

**Question: 19**

As an HR Professional, you are required to post an OSHA poster in a conspicuous place that is easily visible to employees. What OSHA poster lists each of the employee's rights?

- A. OSHA 3165 poster
- B. OSHA 5613 poster
- C. OSHA 5131 poster
- D. OSHA 3615 poster

**Answer: A**

**Question: 20**

Consider your role as a HR Professional in your organization. In your duties you're to keep abreast of market trends, practices in HR, employee attitudes, and your business needs. What component of the HR Impact Model is addressed in this situation?

- A. Programs and processes
- B. Policies and procedures
- C. Catalyst
- D. Consultation

**Answer: C**

**Question: 21**

As an HR Professional, you must be familiar with certain theories and insights about organizational culture, organizational development, and management. Who addressed organizational culture as "that's the way we do things around here"?

- A. Frederick Herzberg
- B. Allen A. Kennedy
- C. Edgard Schein
- D. W. Edwards Deming

**Answer: C**

**Question: 22**

As an HR Professional you need to be familiar with the Age Discrimination in Employment Act 1967. What is the maximum age this act applies to people?

- A. There is no age limit in the act
- B. 65
- C. 70
- D. 75

**Answer: A**

**Question: 23**

You are the HR Professional for your organization and you're working with the management to define the role of contractors versus employees in your organization. According to the Internal Revenue Service, there are three categories of control that help determine whether a person is a contractor or an employee. Which one of the following is not one of the three levels of control as defined by the IRS for employee versus contractor?

- A. Financial control
- B. Locale of work performed

- C. Behavioral control
- D. Type of relationship

**Answer: B**

### **Question: 24**

As an HR Professional you should be familiar with OSHA forms for maintaining employee records. OSHA form 301 is used to document the incident that caused the work-related injury or illness. How long is an organization required to keep the form on record?

- A. One year from the date of the incident
- B. Five years following the year of the incident
- C. Three years following the year of the incident
- D. 90 days following the year of the incident

**Answer: B**

### **Question: 25**

Which one of the following best describes Progressive discipline?

- A. Discussion of substandard performance, written warning, final written warning, termination.
- B. Series of documents of employee's incompetence or insubordination that precedes an employee's termination.
- C. Discussion of substandard performance, verbal warning, written warning, and final written warning.
- D. Series of documents of employee's substandard performance prior to each step of discipline or termination.

**Answer: C**

### **Question: 26**

Henry is the HR Professional for his organization and he's discussing the status of Amy's employment. Amy earns \$87,500 per year and receives a paycheck via direct deposit every two weeks. Amy was hired under the offer of a salary position, but she feels that she is working far more than the agreed 40 hours per week. Based on these scenarios, do you believe Amy is exempt or non-exempt?

- A. Amy is exempt because she is paid on a salary basis.
- B. Amy is not exempt because she is working more than ten percent of her total agreed hours per week.
- C. Amy is exempt because she earns more than \$1,000 per week.
- D. Amy is not exempt because she is offered bonuses as part of her pay.

**Answer: A**

### **Question: 27**

You are a HR Professional for your organization and your supervisor is asking you about the details of the Civil Rights Act of 1991, and what it means to your company. He wants to know what the total damages could be if an organization is found liable by a jury trial. What is the maximum amount that could be awarded to a

victim of discrimination if the organization is found liable?

- A. There is no limited amount as the jury can determine damages
- B. \$50,000
- C. \$300,000
- D. \$500,000

**Answer: C**

**Question: 28**

On November 13, 2000 CFR Part 60-2 was revised to address affirmative action to make the rules more accessible and easier to implement. Which of the following statements is not part of this significant update to the Affirmative Action program in CFR Part 60-2?

- A. Reduced the number of additional required elements of the written Affirmative Action Plan from 10 to 4
- B. Reaffirmed that affirmative action isn't to establish quotes, but to create goals
- C. Granted employers with fewer than 100 employees, permission to prepare a job group analysis that uses EEO-1 categories as job groups
- D. Workforce analysis was replaced with a one-page organizational profile

**Answer: C**

**Question: 29**

Herb is the HR Professional for his organization. He is preparing to hire a new employee, Hans, to the firm. Herb has asked Hans to agree, in writing, to mandatory arbitration as part of the employment offer. What does this agreement mean?

- A. It means that Hans and the organization must settle all disputes, if any arise, through a neutral third party rather than through a lawsuit.
- B. It means that Hans must file all legal complaints with the organization's attorney, before filing a lawsuit against the organization.
- C. It means that Herb's firm can research Hans to determine if he's had any lawsuits.
- D. It means that Hans cannot work for competitors without the written permission of the employer.

**Answer: A**

**Question: 30**

As an HR Professional, you should be familiar with OSHA rules, standards, and regulations. Should an organization violate an OSHA standard, there are often penalties that the employer must pay. What is the maximum fine an employer may face for a deliberate and intentional violation of an OSHA standard?

- A. \$100,000
- B. \$10,000
- C. \$50,000
- D. \$70,000

**Answer: D**

**Question: 31**

An organization would like to bid on a project, but they don't have enough employees available to complete the work. The organization approaches a competitor with the opportunity to partner on the project to win the work. What type of risk response is used in this instance?

- A. Sharing
- B. Mitigation
- C. Enhancing
- D. Transference

**Answer: A**

**Question: 32**

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.

**Answer: A**

**Question: 33**

As an HR Professional you should be familiar with the terminology, practices, and rules governing unions and management in the bargaining process. There are three primary types of bargaining that management and unions participate in. Which one of the following bargaining types aims to generate a variety of options before settling on one?

- A. Distributive bargaining
- B. Good faith bargaining
- C. Integrative bargaining
- D. Interest-based bargaining

**Answer: D**

**Question: 34**

As an HR Professional you must recognize and be aware of several pieces of legislation that affect your performance as an HR Professional. What term describes the illegal agreement of the management to give an individual a job, as long as the person does not join or be involved with a labor union?

- A. Yellow dog contract
- B. Scab
- C. Skill contract

- D. Non-union agreement

**Answer: A**

**Question: 35**

Which one of the following presents the seven stages of internal consulting in the correct order?

- A. Exploring the situation, Gathering data, analyzing, and identifying findings, Gathering agreement to the project plan, Developing recommendations, Implementing, Presenting the findings and recommendations, Reviewing, transitioning, and evaluating the project.
- B. Exploring the situation, Gathering agreement to the project plan, Gathering data, analyzing, and identifying findings, Presenting the findings and recommendations, Developing recommendations, Implementing, Reviewing, transitioning, and evaluating the project.
- C. Gathering agreement to the project plan, Exploring the situation, Gathering data, analyzing, and identifying findings, Developing recommendations, Presenting the findings and recommendations, Implementing, Reviewing, transitioning, and evaluating the project.
- D. Exploring the situation, Gathering agreement to the project plan, Gathering data, analyzing, and identifying findings, Developing recommendations, Presenting the findings and recommendations, Implementing, Reviewing, transitioning, and evaluating the project.

**Answer: D**

**Question: 36**

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

**Answer: D**

**Question: 37**

Which of the following is the process of constantly working with employees to enhance their ability to perform their jobs productively?

- A. Performance appraisal
- B. Employee self-assessment
- C. Performance management
- D. Supervisory training

**Answer: C**

**Question: 38**

Which of the following are established by Fair Labor Standards Act (FLSA) of 1938? Each correct answer represents a complete solution. Choose three.

- A. Criteria for exempt and nonexempt employees
- B. Minimum wage requirement
- C. Laws for protecting American children against labor exploitation
- D. Health insurance requirement

**Answer: A, B, C**

**Question: 39**

You are completing a Form I-9 with a newly hired employee. Which one of the following documents is not allowed as a proof of identity and employment eligibility for the newly hired employee?

- A. Driver's license
- B. Expired US passport
- C. Certificate of naturalization
- D. Unexpired reentry permit

**Answer: A**

**Question: 40**

Amy is a sales person for your company and she earns her pay based on commission. Amy's pay is known as variable pay or what other term?

- A. Fixed pay
- B. Commission only
- C. Base pay
- D. At risk pay

**Answer: D**

**Question: 41**

Jennifer is the HR Professional for her organization. Her supervisor, Dan, has asked Jennifer to find the Compa-ratio for Sam. Sam earns \$40,000 as a mechanic, but the midpoint for a mechanic is actually \$50,000.

What is the Compa-ratio for Sam?

- A. -\$10,000
- B. 80 percent
- C. 125 percent
- D. \$10,000

**Answer: B**

**Question: 42**

You are a HR Professional for your organization. You have presented an idea to your staff. The staff members then discuss their ideas based on your presentation. All of the ideas are recorded and collectively ranked from most important to least important (or some other ordinal scale). Through this process a selection or forecast can be made for the organization. What forecasting technique have you used in this scenario?

- A. Nominal group technique
- B. Ratio analysis
- C. Brainstorming
- D. Delphi Technique

**Answer: A**

**Question: 43**

Which of the following are narrative methods of appraisal that require managers to describe the employee's performance? Each correct answer represents a complete solution. Choose three.

- A. Daily review
- B. Field review
- C. Essay review
- D. Critical incident review

**Answer: B, C, D**

**Question: 44**

There are seven stages of internal consulting that an HR Professional must be familiar with. Consider this scenario: Frances has developed an HR training plan for her organization. The plan is comprehensive, aggressive, and will provide organizational development for all levels of employees in the company. Frances is presenting her plan to her organization's management. What level of internal consulting is Fran participating in?

- A. Reviewing, transitioning, and evaluating the project
- B. Gaining agreement to the project plan
- C. Presenting the findings and recommendations
- D. Exploring the situation

**Answer: B**

**Question: 45**

Heather's organization works with a labor union work force. Heather has heard rumors that the union has been trying to create a hot cargo agreement with a supplier. What is a hot cargo agreement?

- A. It's an agreement that an employer will stop doing business with a non-union business.

- B. It's a threat that the union will slow down processing orders for non-union shops.
- C. It's an agreement to rush orders for union-based businesses.
- D. It forces suppliers to join the union.

**Answer: A**

### Question: 46

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

**Answer: A**

### Question: 47

As a HR Professional you must understand the laws and regulations, which affect employee compensation.

Which of the following was the first to address sanitary working conditions?

- A. Walsh-Healey Public Contracts Act
- B. Portal-to-Portal Act
- C. Davis-Bacon Act
- D. Fair Labor Standards Act

**Answer: A**

### Question: 48

As an HR Professional you must be familiar with several laws and pieces of legislation that affects your practices. What act makes it illegal to discriminate against older workers with respect to benefits or to target older workers for layoffs?

- A. OWBPA
- B. OASDI
- C. HIPAA
- D. MHPA

**Answer: A**

### Question: 49

Your organization employees 475 people and you are the HR Professional for the organization. You're teaching your staff about the EEOC laws and the rights your employees have under these laws. In your state what term is assigned by the EEOC to the local offices that enforce the EEOC laws and any local or state anti-discrimination laws?

- A. Labor offices

- B. Workers Rights Agencies
- C. Fair Employment Practices Agencies
- D. EEOC offices

**Answer: C**

### **Question: 50**

You are the HR Professional for your organization. You're leading a presentation on equal employment opportunity terminology for your staff. Beth, a staff member, wants to know what a charge is -in regard to equal employment opportunity. What is a charge?

- A. A charge is the documentation of an alleged unlawful discrimination.
- B. A charge is an individual that has lodged a formal complaint to an agency that alleges unlawful discrimination.
- C. A charge is the evidence that unlawful discrimination has occurred.
- D. A charge is a formal complaint submitted to an agency that alleges unlawful discrimination.

**Answer: D**

### **Question: 51**

Organizational functions, according to Fayol, conform to one of the six functional areas. Which one of the following is not an area of organizational functions for strategic planning?

- A. Sales and marketing
- B. Financial activities
- C. Human resource management
- D. Technical activities

**Answer: C**

### **Question: 52**

Which one of the following is the best example of a disparate treatment of discrimination?

- A. All project team members are asked to take turns keeping meeting minutes in a rotation.
- B. The meeting minutes will be kept by both men and women in a rotation.
- C. The meeting minutes will be kept by female members of the project team because they have neater handwriting.
- D. All junior project team members are required to take turns keeping meeting minutes in a rotation.

**Answer: C**

### **Question: 53**

The Department of Labor establishes the rules for unemployment insurance and associated claims. Who administers the unemployment?

- A. Each organization
- B. The Department of Labor
- C. Insurance companies
- D. Each state

**Answer: D**

**Question: 54**

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

**Answer: D**

**Question: 55**

When an individual files a charge of discrimination with the EEOC against an employer, what will the EEOC do?

- A. The EEOC will create a hearing with the complainant and the employer to investigate the charge.
- B. The EEOC will visit the employer to inform them of the charge.
- C. The EEOC will investigate the claim by inspecting the employer's place of business.
- D. The EEOC will send the employer a letter informing them of the charge.

**Answer: D**

**Question: 56**

Yolanda is an HR Professional for her organization that has 250 employees. Yolanda is working with Thomas, a manager in the company. Thomas reports that Carrie, one of his staff members, will be leaving the organization for a leave absence due to a pregnancy issue. Thomas wants to know if he can terminate Carrie's employment because she won't be able to complete her work due to the pregnancy issue. What's the best answer for this scenario?

- A. Yolanda should tell Thomas that Carrie must return to work within 28 days or the organization can assume that Carrie has resigned.
- B. Yolanda should tell Thomas that Carrie's employment can be terminated as pregnancy issues are **not** allowable time away from the organization.
- C. Yolanda should tell Thomas that Carrie's employment can be terminated as the organization does not meet the Pregnancy Discrimination Act with 500 minimum employees.
- D. Yolanda should tell Thomas that Carrie must be treated the same way as any other temporarily disabled employee.

**Answer: D**

**Question: 57**

Your organization is aiming to reduce costs by stopping wastes in the production cycle. The company has created a plan that will reward employees 50 percent of the savings from the waste stoppage.

What type of compensation plan is your organization offering to employees in this instance?

- A. This is an example of a team incentive
- B. This is an example of profit sharing
- C. This is an example of gainsharing
- D. This is an example of a short-term incentive

**Answer: C**

**Question: 58**

What is the compa-ratio for an employee that earns \$75,000 per year, but the midpoint for the role is \$85,000 per year?

- A. \$10,000 difference
- B. 1:88
- C. 113 percent
- D. 88 percent

**Answer: D**

**Question: 59**

As a HR Professional you must understand the laws and regulations, which affect employee compensation. If a non-exempt employee works more than 40 hours per week, what is their overtime pay rate?

- A. 150 percent of their base pay
- B. It depends on the state where the employee is employed
- C. Non-exempt employees do not receive overtime pay
- D. 50 percent of their base pay

**Answer: A**

**Question: 60**

If a union wants to organize, it typically moves through five steps to the organizing process. Which step of union organization would require the union to collect at least 30 percent of signed authorization cards from employees?

- A. Confirm interest
- B. The campaign
- C. Make a connection
- D. Obtain recognition

**Answer: A**

**Question: 61**

The HR Professional must take measures to ensure that he is involved with all areas of the HR Impact Model.

What component of the HR Impact Model serves as the process integrator of all components?

- A. Programs and Processes
- B. HR Professional
- C. Catalyst
- D. Consultation

**Answer: C**

**Question: 62**

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

**Answer: C**

**Question: 63**

You are the HR Professional for your organization. You are discussing the status of your company's employees to determine who may be considered nonexempt versus exempt. Which one of the following types of employees can never be considered exempted from overtime provisions?

- A. Administrative assistants
- B. Sales people
- C. Manual workers
- D. Managers

**Answer: C**

**Question: 64**

You are the HR Professional for your organization. You have just hired a new employee for your company. What form are you and the newly hired employee required to complete to show the employee's identity and eligibility to work in the United States?

- A. IRCA-00
- B. 1099
- C. IRCA-86

D. 1-9

**Answer: D**

**Question: 65**

Your organization will be using the factor comparison technique in their evaluations of job performance. You need to communicate what the factor comparison technique accomplishes as you're the HR Professional for your organization. Which of the following best describes the factor comparison technique?

- A. Factor comparison is an evaluation technique that involves the ranking of each compensable factor of each job.
- B. Factor comparison is an evaluation technique that involves the ranking of each compensable factor of each job. A monetary value is assigned for each factor to determine its worth. Based on performance, historical information, and value this approach determines the importance and value of each job.
- C. Factor comparison is an evaluation technique that involves the ranking of each compensable factor of each job. A monetary value is assigned for each factor to determine its worth. Based on performance, historical information, and value this approach determines a bonus structure for each job.
- D. Factor comparison is an evaluation technique that involves the ranking of each compensable factor of each job. A monetary value is assigned for each factor to determine its worth. Based on performance, historical information, and value this approach determines a pay rate for each job.

**Answer: D**

**Question: 66**

As an HR Professional you must be familiar with several different lawsuits and their affect on human resource practices today. What did the legal case, the United Steelworkers of America versus Weber regard?

- A. The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from favoring women and minorities.
- B. The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from using racial criteria as a method to determine workplace advancement.
- C. The United States Supreme Court held that the Civil Rights Act of 1964 did not bar employers from favoring women and minorities.
- D. The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from favoring minorities, but could do gender based favor.

**Answer: C**

**Question: 67**

As an HR Professional, you must recognize and be aware of several pieces of legislation that affect your performance as an HR Professional. The National Labor Relations Board identified five categories of unfair labor practices. Which one of the following is not one of the five categories of unfair labor practices?

- A. To dominate or interfere with the formation or administration of a labor organization.
- B. To refuse individuals to organize and meet for the potential labor union creation process.

- C. To interfere, restrain, or coerce employees in the exercise of their rights to engage in concerted or UNION activities or refrain from them.
- D. To discriminate against employees for engaging in concerted or union activities or refraining from them.

**Answer: B**

### **Question: 68**

Mike is the HR Professional for his organization and he's documenting the relationship of contractors and employees in the organization. Mike is focusing on the control aspects as provided by the Internal Revenue Service. What aspect of the contractor control aspect is best described as how the business pays the worker?

- A. Behavioral control
- B. Contractual relationship
- C. Type of relationship
- D. Financial control

**Answer: D**

### **Question: 69**

As a HR Professional you must be familiar with several different lawsuits and their affect on human resource practices today. This adverse impact lawsuit determined that discrimination need not be deliberate or observable to be real. Employees were segregated by race and were allowed to work only in the lowest paid position. What lawsuit is described?

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

**Answer: A**

### **Question: 70**

Which of the following are non-monetary rewards that a company can provide to its employees?

- A. Recognition
- B. Opportunity to learn
- C. Flexible hours
- D. Cash compensation

**Answer: A, B, C**

### **Question: 71**

As an HR Professional you should be familiar with the terminology, practices, and rules governing union-based strikes. What is the ally doctrine?

- A. A union may expand upon its primary picketing activity to include employees who are allies of the primary employer.
- B. Employers cannot force friends, colleagues, and family members into joining a union picket. Allies of the picketing union can allow allies into the picket line.
- C. A union may expand upon its primary picketing activity to include employees who are allies of the primary employer.
- D. A union may serve as an ally to another striking union by allowing their members to join the picket against the primary employer.

**Answer: C**

### **Question: 72**

Holly is the HR Professional for her organization and she's examining the type of exemptions for computer employees. What is the minimum rate that the computer employee must earn to be considered exempt?

- A. \$27.63 per hour
- B. \$17.03 per hour
- C. \$45.33 per hour
- D. \$31.23 per hour

**Answer: A**

### **Question: 73**

As an HR Professional you must recognize, and be aware of several pieces of legislation that affects your performance as an HR Professional. Which one of the following acts exempted labor unions and agricultural organizations from The Sherman Antitrust Act?

- A. The Clayton Act
- B. The Railway Labor Act
- C. The National Labor Relations Act
- D. The National Industrial Recovery Act

**Answer: A**

### **Question: 74**

Your organization is using the whole job ranking technique as part of its non-quantitative job evaluation. Which one of the following best describes the whole job ranking technique?

- A. Jobs are ranked from lowest to highest according to the importance that each job holds.
- B. Jobs are reviewed based on the entire performance of the organization in each category.
- C. Jobs are categorized into broad categories or levels.
- D. New jobs are categorized into an existing hierarchy of jobs within the organization.

**Answer: A**

### **Question: 75**

Holly is an HR Professional for her organization and she's creating a new application for employee

candidates. On Holly's application form which item is allowed?

- A. Race
- B. Gender
- C. Request for background check
- D. Sexual orientation

**Answer: C**

### **Question: 76**

You are a HR Professional for your organization and you're coaching Thomas on human resources practices, particularly the role of the HR Professional in strategic planning. You tell Thomas the importance of vision, mission, and values of an organization. Thomas asks what the difference is between vision and mission. Which one of the following best describes the difference between vision and mission for an organization?

- A. A vision is the purpose of a company. A mission is the task the organization aims to accomplish.
- B. A vision describes the future of the organization while a mission describes the goals of the organization.
- C. A vision describes the organization's role, what the organization is, and what the organization may aspire to be. A mission describes what the organization will definitely become.
- D. A vision describes an organization's role, what the organization is, and what the organization wants to become. A mission describes the organization's purpose for being.

**Answer: D**

### **Question: 77**

As an HR Professional you must be familiar with particular labor-based acts of congress. One such act is the Taft-Hartley Act which addressed right-to-work states and unions. What does right-to-work states mean for unions and employees?

- A. An organization can fire employees if they're members of a union.
- B. Union conducts the hiring process for an organization.
- C. Employees are not required to join a union to work.
- D. Employees must join the union in order to work.

**Answer: C**

### **Question: 78**

Mathematical forecasting is also known as quantitative forecasting. Which one of the following statements best describes mathematical forecasting techniques?

- A. The predictor of future performance is risk analysis of possible outcomes.
- B. The best predictor of future performance is statistical analysis of past performance results.
- C. The best predictor of future performance is structured reviews of current performance.
- D. The best predictor of future performance is past performance.

**Answer: D**

**Question: 79**

What act prohibits discrimination on the basis of physical and mental disabilities?

- A. ADEA of 1967
- B. Rehabilitation Act of 1973
- C. VEVRAA of 1974
- D. IRCA of 1986

**Answer: B**

**Question: 80**

As an HR Professional you must address risk in the work place. There are two general categories of risk: pure risk and business risk. Which one of the following is an example of pure risk?

- A. Loss of investment
- B. Loss of life or limb
- C. Safety training for workers in construction
- D. Fines and penalties for breaking regulations

**Answer: B**

**Question: 81**

You are the HR Professional for your organization and you have been asked to hire a project manager.

The average market salary for the project management position, you have available is \$87,500.

Which one of the following salaries would be indicative of lagging the market?

- A. \$79,000
- B. \$101,000
- C. \$87,500
- D. \$88,000

**Answer: A**

**Question: 82**

Which of the following is the process of systematically determining a relative internal value of a job in an organization?

- A. Job evaluation
- B. Broadbanding
- C. SWOT Analysis
- D. Gainsharing

**Answer: A**

**Question: 83**

John is the HR Professional for his organization. He is interviewing Sally for a sales position and he has asked Sally to provide an instance of how she worked with a tough customer in the past, how Sally resolved the situation, and what the outcome of the experience was. This is what type of interviewing technique?

- A. Prescreen interview
- B. Behavior-based interview
- C. Directive interview
- D. Stress interview

**Answer: B**

**Question: 84**

Stress is often a significant issue in workplaces. Author Ravi Tangri asserts that stress costs organizations up to \$300 billion per year. Which one of the following stresses is the largest contributor to organizational cost of waste?

- A. Workplace accidents
- B. Turnover
- C. Absenteeism
- D. Drug plan costs

**Answer: A**

**Question: 85**

Beth works for the HJR Corporation and she feels that she has been discriminated against by her supervisor. Beth would like to file a charge with the EEOC but she's afraid of the repercussions and she doesn't want her identity exposed. Beth asks a lawyer to file the charge for her so she can remain anonymous. Is this legal?

- A. It depends on the state where the charge is being filed, as some states allow anonymous filings while others do not.
- B. No, the person who has been discriminated against must file her own charge.
- C. No, the person who files the charge cannot remain anonymous.
- D. Yes, the person who files the charge can have someone else file the charge on their behalf to protect their identity.

**Answer: D**

**Question: 86**

OSHA has identified six standards that apply to almost all general industry employers. All of the following are standards as defined by OSHA that apply to employers except for which one?

- A. Emergency action plan standard
- B. Equity pay standard

- C. Exit routes standard
- D. Fire safety standard

**Answer: B**

### **Question: 87**

As an HR Professional you must be familiar with the strategic business management of your organization. Henry Fayol identified five functions of business management which still apply to businesses today. Which one of the following answers correctly identifies the five functions of a manager?

- A. Prevoyance, to command, to execute, to close, and to control
- B. Prevoyance, to organize, to command, to coordinate, and to control
- C. To plan, to organize, to control, to propose, and to close
- D. Initiating, planning, executing, controlling, and closing

**Answer: B**

### **Question: 88**

Robert is the HR Professional for his organization. June, Robert's supervisor, assigns Robert for completing and filing the EEO-1 Report for the organization. What is the EEO-1 Report?

- A. It is a report that all employers with at least 100 employees must submit to the Department of Labor. It defines the total number of employees the organization employs.
- B. It is a report that all employers must submit to the Department of Labor defining the race, social security identification number, and income of all employees in the organization.
- C. It is a report that all employers with at least 100 employees must submit to the Department of Labor. It defines the total number of employees by job category, ethnicity, race, and gender the organization employs.
- D. It is a report that all employers must submit to the Department of Labor defining the race and income of all employees in the organization.

**Answer: C**

### **Question: 89**

Your organization has created an affirmative action plan which includes an internal audit and reporting system. According to the Department of Labor there are four actions which should be included in the internal audit and reporting system to be effective. Which of the following is not one of the Department of Labor recommended actions for the internal audit and reporting system?

- A. Require internal reporting on a schedule basis as to the degree to which equal employment opportunity and organizational objectives are attained.
- B. Monitor records of all personnel activity at all levels to ensure that nondiscriminatory policy is enforced.
- C. Post the findings of the internal audit and reporting system for all employees to review.
- D. Review report resources with all levels of management.

**Answer: C**

**Question: 90**

Sally is an HR employee for her company. She is primarily interested in serving only in an organizational role where she focuses on creating HR policies and procedures. What is the limitation Sally may subject herself to, if she focuses only on the organizational role?

- A. She'll only be involved in the organization's strategic planning efforts.
- B. She won't be involved in the organization's strategic planning or change efforts.
- C. Her organizational impact will be limited to identifying problems, creating policy initiatives, and launching HR programs.
- D. Her organizational impact will be limited to promoting employee performance.

**Answer: B**

**Question: 91**

Your organization is looking for methods to improve communication between the management and the employees within the company. Which one of the following methods is best described as a small but representative sampling of employees - led in a conversation by a neutral moderator about an identified topic?

- A. Focus group
- B. Workshop
- C. Pilot group
- D. Brainstorming session

**Answer: A**

**Question: 92**

Beth is a HR Professional for her organization and she's discussing the risk of growing her organization's business. What is risk and why would it be considered in HR for organizational growth?

- A. Risk is an uncertain event or condition that may help or hinder an organization. Adding employees can help positive risks or amplify negative risk events.
- B. Risk is an adverse event that can halt, hinder, or hurt the objectives of a business.
- C. Risk is a negative event that an organization must consider when adding new employees to grow a company.
- D. Risk is an uncertain event or condition that can have a positive or negative effect on the goals of an organization.

**Answer: A**

**Question: 93**

Which of the following are types of training evaluation? Each correct answer represents a complete solution. Choose all that apply.

- A. Testing

- B. Behavior
- C. Learning
- D. Reaction
- E. Results

**Answer: B, C, D, E**

**Question: 94**

Your organization has a no-solicitation rule in effect for all employees. How does this rule affect the internal organization of unions?

- A. Unions can only solicit for members with the managements approval, when there's a nosolicitation rule in effect.
- B. Unions cannot solicit for membership when there's a no-solicitation rule in an organization.
- C. Unions can solicit for membership with the permission of more than 30 percent of the organization.
- D. Unions are exempted from no-solicitation rules.

**Answer: B**

**Question: 95**

Which of the following are the key components of gainsharing? Each correct answer represents a complete solution. Choose three.

- A. The organization and the employees share the financial gains.
- B. If goals for improvements are met, employees and managers share the success.
- C. Managers and employees provide their part of salary for charity.
- D. Employees and management work together for reviewing organizational performance.

**Answer: A, B, D**

**Question: 96**

Your organization has 80 full-time employees. Management has recently informed you that they have sold their business and they'll be releasing all employees in the organization. Based on the Worker Adjustment and Retraining Notification Act of 1988, how many days must management give in writing to the employees of this organization before the mass layoff?

- A. 60 days
- B. 120 days
- C. Zero days
- D. 30 days

**Answer: C**

**Question: 97**

You are the HR Professional within your organization, and you're working with the management to address the organizational culture. You explain to the management the four dimensions of organizational culture - as addressed by Deal and Kennedy. Which one of the following is not one of the four dimensions of

organizational culture?

- A. Heroes
- B. Joy
- C. Values
- D. Rites and Rituals

**Answer: B**

**Question: 98**

You are a HR Professional for your organization and you're preparing your team for a series of interviews. You want the team to be familiar with the validity types you'll use and encourage in the series of interviews. One of the requirements for the open position is that the candidates are fluent in both English and Spanish. This is based on the high performers among current employees that have this trait. This is an example of what type of validity?

- A. Criterion-related validity
- B. Predictive validity
- C. Construct-related validity
- D. Content validity

**Answer: A**

**Question: 99**

As an HR Professional you must be familiar with the project management processes and the stakeholders of projects. All projects can map to the project management lifecycle. Which one of the following best describes the project management lifecycle?

- A. It is the aggregation of the nine knowledge areas of project management: integration management, scope, schedule, costs, quality, human resources, communication, risk, and procurement.
- B. It is the life of the management of the project -from initiation, planning, execution, controlling, through closing.
- C. It is the life of a project to interact with all areas including scope, schedule, costs, quality, human resources, communication, risk, and procurement.
- D. It is a unique life of each project -from its initiation through its closing.

**Answer: B**

**Question: 100**

Which of the following clause protects the employee's job and compensation in the event of a reorganization, acquisition, or merger, for a specified period of time?

- A. Termination clause
- B. Change of control
- C. Advice of counsel
- D. Disability or death

**Answer: B**

**Question: 101**

As an HR Professional, you must sometimes terminate employees from your organization. When an employee is terminated, there must be a just cause or a good cause for the termination. Which one of the following is not a valid just cause for the employee's termination?

- A. Whether the employee is a member of a protected class
- B. Whether the employee was warned in advance
- C. Whether the rule has been applied consistently
- D. Whether reasonable "proof" of the violation existed, or was obtained through investigation

**Answer: A**

**Question: 102**

As an HR Professional you should be familiar with the terminology, practices, and rules governing unions and management in the bargaining process. What is the zipper clause in regard to negotiations?

- A. Items in a management-union contract can be "zipped" open and closed as often as necessary.
- B. Management is locked out of union meetings.
- C. Management and union representations are locked out of union employee meetings.
- D. Items in a management-union contract are "zipped" closed, once the agreement is signed by both parties.

**Answer: D**

**Question: 103**

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 preapproved 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.

**Answer: C**

**Question: 104**

Robert is the HR Professional for a construction company. He's working with several site managers to communicate the requirements of OSHA reporting. Robert wants to convey the requirements of OSHA's reporting for work-related injuries. Which one of the following is the OSHA definition of a work-related injury?

- A. Any loss of life or limb resulting from an event in the work environment.
- B. Any wound or damage to the body resulting from an event in the work environment.

- C. Any physical damage to one's body resulting from an event in the work environment.
- D. Any pain, suffering, or damage to a person as a result of working in an employee position.

**Answer: B**

**Question: 105**

Your organization offers an employees' retirement benefit program that is covered by the Employee Retirement Income Security Act of 1974. The administrative responsibility for enforcement of the Employee Retirement Income Security Act of 1974 is divided among three government agencies.

Which one of the following is not a government agency that helps to enforce ERISA?

- A. FDIC
- B. Department of Labor
- C. IRS
- D. Pension Benefit Guaranty Corporation

**Answer: A**

**Question: 106**

Management and union representatives are working through a collective bargaining agreement. What term is used in this process to describe arbitration that is used to resolve conflicts around contract language in the collective bargaining agreement?

- A. Decisions
- B. Permanent arbitration
- C. Interest arbitration
- D. Ad hoc arbitration

**Answer: C**

**Question: 107**

Your organization is likely to be purchased by a competitor. The Management has asked you, in confidence, to complete environmental scanning to determine the effects of the purchase on your organization's culture, customers, and employees. What is environmental scanning?

- A. Environmental scanning is a review of the opportunities and threats that a condition may have on an organization.
- B. Environmental scanning is the process of assessing the effects of an organization change on both macro and micro elements in an organization.
- C. Environmental scanning is a review of the cultural achievability of a new project, organizational change, or market influence on at least three factors in an organization.
- D. Environmental scanning is an internal review of an external catalyst.

**Answer: A**

**Question: 108**

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

**Answer: A**

### **Question: 109**

Which of the following is a process that occurs due to mergers, outsourcing or changing business needs?

- A. Involuntary exit
- B. Plant closing
- C. Voluntarily exit
- D. Outplacement

**Answer: A**

### **Question: 110**

Jan is the HR Professional for your organization. An employee within the organization has filed a charge with the EEOC that discrimination has been done by your organization against her. The EEOC has investigated the case and has found that there is no reasonable cause against your company. The person filing the charge, however, still believes that discrimination has occurred. How long does this person have, to file a lawsuit against your company?

- A. Once the EEOC has found that there is no reasonable cause, the complainant cannot file a lawsuit to sue.
- B. Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 30 days of the EEOC's findings.
- C. Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 90 days of the EEOC's findings.
- D. Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 180 days of the EEOC's findings.

**Answer: C**

### **Question: 111**

You are an HR Professional for your organization and you're preparing your team for a series of interviews. You want the team to be familiar with the validity types you'll use and encourage in the series of interviews. During the interview process, the candidate will need to complete a psychological test to determine his ability to perform in the job role based on collected and desired traits. This is an example of what type of validity?

- A. Construct-related validity
- B. Criterion-related validity
- C. Content validity
- D. Predictive validity

**Answer: A**

### **Question: 112**

As an HR Professional you must be familiar with several acts of congress, laws, and regulations that address risks in the workplace. Which of the following laws was the first to establish consistent safety standards for workers?

- A. Mine Safety and Health Act
- B. USA Patriot Act
- C. Occupational Safety and Health Act
- D. Homeland Security Act

**Answer: C**

### **Question: 113**

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

**Answer: A**

### **Question: 114**

Which of the following are the benefits of gainsharing programs? Each correct answer represents a complete solution. Choose three.

- A. Aligns employees to organization goals
- B. Employees are paid on the basis of group performance rather than individual performance
- C. Enhances employees focus and awareness
- D. Helps organization to achieve improvement in key performance measures

**Answer: A, C, D**

### **Question: 115**

Which of the following is a term used to describe efforts made by a downsizing company to help former employees through the transition to new jobs and help them re-orientate to the job market?

- A. Duty of diligence
- B. Exit interview
- C. Utility function
- D. Outplacement

**Answer: D**

**Question: 116**

The Americans with Disabilities Act of 1990 identifies an individual with a disability, as a person who has one or more of the following characteristics except for which one?

- A. Has a record of such impairment that substantially limits one or more major life activities
- B. Is regarded as having such impairment that substantially limits one or more major life activities
- C. Is believed by employers that an individual having a physical or mental impairment substantially limits one or more major employment activities
- D. Has a physical or mental impairment that substantially limits one or more major life activities

**Answer: C**

**Question: 117**

As an HR Professional you should be familiar with OSHA forms for maintaining employee records. Which OSHA form is used to cover the what, how, when, where, and who or work-related injuries?

- A. Form 301
- B. Form 300
- C. Form 300A
- D. Form 3165

**Answer: B**

**Question: 118**

John's organization has collected several applications for an employment position within his organization. The data collected from these applications must be kept secure and private, especially in light of the Privacy Act of what year?

- A. 1964
- B. 1968
- C. 1974
- D. 2007

**Answer: C**

**Question: 119**

Your organization has decided to close one of the manufacturing plants, where it employs 250 employees. The closing is not a reflection of the employee's performance, but due to poor sales of the equipment the plant

produces. What is the employer required to do for the employees in light of the plant closing?

- A. Offer a written notice of the plant closing at least 60 days prior to the closing date.
- B. Offer the employees an opportunity to resign from their position with two week severance pay.
- C. Offer the employees a transfer to other plants that will remain open.
- D. Offer the employees a final performance assessment.

**Answer: A**

### **Question: 120**

What is the time limit for filing a charge of discrimination with the EEOC?

- A. 90 days
- B. 60 days
- C. 180 days
- D. 30 days

**Answer: C**

### **Question: 121**

As an HR Professional you should be familiar with the terminology, practices, and rules governing union-based strikes. What term is assigned to a group of employees who are not directly affected by a group of striking employees, but they choose not to cross a picket line of strike?

- A. Common situs picketing
- B. Scabs
- C. Sympathy strike
- D. Wildcat strikes

**Answer: C**

### **Question: 122**

OSHA may inspect a workplace at any time. The purpose of these inspections is to maintain safety for all workers. OSHA has established five priorities for workplace inspections. Which one of the following statements is the correct order of most important OSHA priorities to least important OSHA priorities?

- A. Imminent danger, planned inspections in high-hazard industries, employee complaints, catastrophes and fatal accidents, follow-up inspections
- B. Imminent danger, catastrophes and fatal accidents, planned inspections in high-hazard industries, employee complaints, and follow-up inspections
- C. Imminent danger, catastrophes and fatal accidents, planned inspections in high-hazard industries, follow-up inspections, and employee complaints
- D. Imminent danger, catastrophes and fatal accidents, employee complaints, planned inspections in high-hazard industries, follow-up inspections

**Answer: D**

**Question: 123**

The Taft-Hartley Act, also known as the Labor Management Relations Act, addressed unions and engaged in certain types of secondary boycotts. What is a secondary boycott?

- A. It is an effort to convince others to stop doing business with a particular organization that is the subject of a primary boycott.
- B. It is an effort to create more than one boycott on an organization, on two or more revenue streams.
- C. It is two or more boycotts by two or more union-backed organizations against one company.
- D. It is additional boycotts against companies that do business with a company which the union is boycotting.

**Answer: A**

**Question: 124**

HR Professionals must recognize types of unlawful discrimination to be in compliance with US law. One type of discrimination is disparate treatment. Which one of the following is the best definition of disparate treatment?

- A. When an employer treats all applicants the same regardless of their race, color, sex, religion, national origin, age, disability, or military or veteran status.
- B. When an employer creates a quid pro quo status based on an employee's rebuttal of unwelcome sexual advances.
- C. When an employer treats a candidate differently based on the person's race, color, sex, religion, national origin, age, disability, or military or veteran status
- D. When an employee treats other employees differently based on their past work efforts.

**Answer: C**

**Question: 125**

As a HR Professional you must be familiar with several different lawsuits and their affect on human resource practices today. What did the Regents of the University of California versus Bakke lawsuit primarily accomplish?

- A. Universities could not use race as the reason to exclude an applicant to a college admissions program, but the university could use race as one of the reasons to include a person as an applicant to a college admissions program.
- B. Universities could not hire a person based solely on their race.
- C. Universities could not use race as a reason to not hire a person, but could use race as a reason to hire a person.
- D. Universities could not use race as a reason to include or to exclude a person from a college admissions program.

**Answer: A**

**Question: 126**

Gary is an HR Professional for his organization that has several federal contracts of \$100,000 or more. His

organization, as required by VEVRAA, files what form by September 30 each year, which provides the details of the veterans employed by the federal contractor?

- A. Gary must file the EEO-VETS form
- B. Gary must file the VEVRAA ACT-1 report
- C. Gary must file the EEO-1 report
- D. Gary must file the VETS-100 form

**Answer: D**

### **Question: 127**

As an HR Professional, you must be familiar with collective bargaining agreements and the process that rights are given, contracts, and union and management cooperation. With this in mind, what is a rights arbitration?

- A. It is a lawsuit between the collective management and the collective union.
- B. It is a formal hearing between the management and the union, to resolve grievances during the construction of a contract.
- C. It is a formal hearing between management and union members to resolve grievances during the administration of a contract.
- D. It is not a lawsuit, but a resolution of laws and their impact on existing contracts.

**Answer: C**

### **Question: 128**

Frank is an employee at the HBF Corporation, and he has recently been terminated because of poor company income. Frank visits the company's blog and saw a comment from his manager, which says, "We had to let Frank go today because he kept screwing up sales order. He's incompetent!" This is an example of which one of the following?

- A. Termination evidence
- B. Slander
- C. Libel
- D. Freedom of speech

**Answer: C**

### **Question: 129**

Jane is preparing for an interview process for an open position within her company. Jane has prepared several questions for the interview. Inher questions, Jane is careful not to ask all of the following questions, except for which one?

- A. Our hours are from 8 AM to 5 PM. Can you meet this requirement of the position?
- B. Where are you from?
- C. How many children do you have?
- D. What's your date of birth?

**Answer: A**

**Question: 130**

You have just hired a job candidate for a position in your company. You are now required by the Immigration and Control Act of 1986, to complete an employment eligibility form to verify the new employee's eligibility to work in the United States. Within how many days must you complete this form?

- A. 3 days
- B. 30 days
- C. 7 days
- D. 10 days

**Answer: A**

**Question: 131**

You are the HR Professional for your organization and you're completing a turnover analysis. You're considering that over the past year your organization has employed 1,238 employees and during that same period your organization has terminated 56 employees. Based on this information what is your organization's turnover for the past year?

- A. 56
- B. Significantly lower than average
- C. 22
- D. Moderately low

**Answer: C**

**Question: 132**

You are leading a brief presentation for your company about the ERISA program your company participates in. What is ERISA used for?

- A. It protects the interests of those who participate in employee benefit plans
- B. It protects the workers of employee compensation plans
- C. It protects private organizations that have profit sharing plans for employee compensation
- D. It allows private organizations to create investments for workers in profit-sharing plans

**Answer: A**

**Question: 133**

Pauline is a HR Professional for her organization and she's meeting with the sales manager Jim. Jim wants to know if Randy, one of his sales people, is considered exempt or not because he's doing outside sales. Pauline tells Jim that there are just two qualifiers for Randy to be considered exempt in

his role as an outside salesperson. The first is that Randy's primary duty must be making sales. What is the other consideration?

- A. Randy must earn all income from commission.
- B. Randy must not have a contract to complete sales.
- C. Randy must be customarily engaged away from the employer's place of business.
- D. Randy must earn more than \$48,234 per year.

**Answer: C**

### **Question: 134**

The Federal Labor Standards Act is something that all HR Professionals should be familiar with. This act clearly defines four areas that affect all employees. Which one of the following is not one of the four areas of employment covered by this act?

- A. Commissions, royalties, and tips
- B. Overtime
- C. Record keeping
- D. Minimum wage

**Answer: A**

### **Question: 135**

A union is performing a jurisdictional strike in front of a construction site. What is a jurisdictional strike?

- A. It is a strike through which the union seeks to pressurize an employer to assign a particular work to its members; rather than to members of other unions or to the non-union workers.
- B. It is a strike through which the union seeks to pressurize an employer to agree to the terms of a new contract although there is already an approved contract in place.
- C. It is a strike through which the union seeks to pressurize an employer to agree to the terms of a new contract because the current contract between the employer and the union has expired.
- D. It is a strike through which the union seeks to pressurize an employer to assign all work to its members, rather than to members of non-union workers.

**Answer: A**

### **Question: 136**

Virginia is the HR Professional for her organization and she is reviewing the details of the Age Discrimination in Employment Act (ADEA) of 1967. She tells John, one of her staff members, that the ADEA prohibits discrimination on the basis of age for employees and job applicants who are above a certain age. What age does the ADEA apply to employees and job applicants?

- A. 40 and above
- B. 50 and above
- C. 30 and above
- D. All people regardless of their age

**Answer: A**

**Question: 137**

Diane is the HR Professional for her organization and she's examining the ranges for the compensation levels of her company. Which one of the following statements best describes what a range for compensation is?

- A. A range specifies the lowest/minimum and the highest/maximum compensation rates for which positions with each grade are federally mandated that employees be paid.
- B. A range specifies the lowest/minimum and the highest/maximum compensation rates for which positions with each grade are generally paid.
- C. A range specifies the lowest/minimum and the highest/maximum compensation rates for the worth of responsibilities.
- D. A range specifies the lowest/minimum and the highest/maximum value for which employees are generally paid through incentives.

**Answer: B**

**Question: 138**

Which of the following is a communication that damages an individual's reputation in the community, preventing them from obtaining employment?

- A. Gainsharing
- B. Constructive discharge
- C. Duty of loyalty
- D. Defamation

**Answer: D**

**Question: 139**

There are seven stages of internal consulting that a HR Professional must be familiar with. Consider this scenario: Mark is a HR Professional for his organization. He is meeting with Tammy and Tammy's supervisor Eric to learn about a conflict between Tammy and Eric. Mark wants to understand both parties before addressing the scenario. Which of the seven stages is Mark, Tammy, and Eric participating in?

- A. Developing recommendations
- B. Implementing
- C. Exploring the situation
- D. Gaining agreement to the project plan

**Answer: C**

**Question: 140**

There are seven stages of internal consulting that a HR Professional must be familiar with. Which one of the following is not one of the seven stages of internal consulting?

- A. Exploring the situation

- B. Implementing
- C. Developing recommendations
- D. Executing the project plan

**Answer: D**

**Question: 141**

Martha is the HR Professional for her organization and she's working with her team to complete non-quantitative job evaluations. Martha wants to stress the available types of non-quantitative job evaluation techniques that are appropriate for her team to be communicated to managers. Which one of the following is not a non-quantitative job evaluation technique that Martha should share?

- A. Whole job ranking
- B. Job slotting
- C. Factor comparison
- D. Job classification

**Answer: C**

**Question: 142**

Deal and Kennedy defined the four dimensions of organizational culture that you should be familiar with, as an HR Professional. What dimension of organizational culture is best defined by the hidden hierarchy of power?

- A. Culture network
- B. Joy
- C. Values
- D. Heroes

**Answer: A**

**Question: 143**

What of the following statements defines total rewards?

- A. It is the total amount of pay a person earns per year.
- B. It is the compensation and the benefits a person earns.
- C. It is the amount of pay a person earns per hour.
- D. It is the compensation a person earns for their time.

**Answer: B**

**Question: 144**

An organization is considering services it can successfully provide to its customers. One of the services, however, is deemed to be difficult to offer with a high degree of certainty of success. The organization has decided not to offer the service because of the risk in offering the service, and failing. What risk response

is used in this scenario?

- A. Transference
- B. Sharing
- C. Avoidance
- D. Mitigation

**Answer: C**

**Question: 145**

There are four sections of the HR Impact Model. Which component of the model is considered to be the most client-oriented role?

- A. Programs and Processes
- B. Catalyst
- C. Consultation
- D. Policies and Procedures

**Answer: C**

**Question: 146**

If an employee wants to participate in a union, they'll often have union dues to pay. The employer is obligated to deduct the payment from the employee's paycheck and give it to the union only if which condition is met?

- A. The person requesting for the union dues deduction must make the request in writing.
- B. The union representative must contact the employer and verify the request on behalf of the employee.
- C. The person requesting for the union dues deduction must be employed for more than 90 days.
- D. The person requesting for the union dues deduction must be employed for more than 120 days.

**Answer: A**

**Question: 147**

John earns \$45,200 per year as a mechanic in your organization. The \$42,500 per year does not include earnings John may have through shift differentials, benefits, overtime, incentives, and bonuses. Which one of the following terms best describes the \$45,200 per year that John earns?

- A. Base pay
- B. Market-demand pay
- C. Hygiene factor pay
- D. Variable pay

**Answer: A**

**Question: 148**

An organization would like to hire a 15-year old for some duties in their business. Which one of the following

rules would be breaking the requirements of the child labor provisions of the FLSA?

- A. Non-school hours only
- B. 4 hours per school day
- C. 8 hours in a non-school day
- D. 18 hours per school week

**Answer: B**

**Question: 149**

Mark is an HR Professional for his organization and he has been given the assignment to create an Affirmative Action Plan for his company. Mark will also be considered to be designated the responsibility for this Affirmative Action Plan. What does the designation of responsibility mean?

- A. It means that Mark will be the person that reports on the plan's implementation to management
- B. It means that Mark will be the person that reports on the plan's implementation to the Department of Labor
- C. It means that Mark will be the person responsible for actually implementing the plan
- D. It means that Mark will be the manager for all Affirmative Action scenarios and issues within his company

**Answer: C**

**Question: 150**

COBRA, the Consolidated Omnibus Budget Reconciliation Act, requires some organizations to offer continuation of group health care coverage to employees and family members based on certain qualifying events. How many employees must exist within an organization for COBRA requirements to be enforced?

- A. 20
- B. 100
- C. 50
- D. 10

**Answer: A**

**Question: 151**

What term describes a manager who makes himself visible, being present for employees, and getting out of his office to interact with employees?

- A. Open door policy
- B. Progressive discipline
- C. Active management
- D. Management by walking around

**Answer: D**

**Question: 152**

If a union wants to organize, it typically moves through five steps to the organizing process. Which one of the following is not one of the five stages of unionization of work force?

- A. The financing
- B. The campaign
- C. Obtaining recognition
- D. The election

**Answer: A**

**Question: 153**

All organizations need prevoyance, or planning, as a part of a manager's duty. As an HR Professional what is the primary purpose of planning?

- A. Directs the project team and staff to accomplish the project scope
- B. Establishes groundwork for the managers to achieve the goals of the organization
- C. Communicates the direction of the organization
- D. Establishes groundwork for the managers to achieve their goals

**Answer: B**

**Question: 154**

If an employer ignores stress in employees what symptom are employees likely to develop?

- A. De-motivation
- B. Burnout
- C. Tumors
- D. Turnover

**Answer: B**

**Question: 155**

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.

**Answer: D**

**Question: 156**

As a HR Professional you must understand the laws and regulations, which affect employee compensation. Which of the following was the first to address a minimum wage for employees?

- A. Portal-to-Portal Act
- B. Walsh-Healey Public Contracts Act
- C. Davis-Bacon Act
- D. Fair Labor Standards Act

**Answer: C**

**Question: 157**

Which of the following types of training evolution measures whether the training had a positive impact on the bottom line?

- A. Result
- B. Reaction
- C. Learning
- D. Behavior

**Answer: A**

**Question: 158**

Pat is interviewing Sammy for a job in his organization. During the interview, Pat asks Sammy for a dinner date. Sammy refuses his offer, but thanks him. Pat tells Sammy that a dinner date would be beneficial to the job selection. Sammy still refuses the dinner date. Based on this conversation, Pat decides not to hire Sammy for the position. This is an example of what type of sexual harassment?

- A. Covert
- B. Quid Pro Quo
- C. Contingent
- D. Hostile Work Environment

**Answer: B**

**Question: 159**

Which of the following requires employers to pay social security tax for employees and to withhold the tax amount from employee paychecks?

- A. Fair Labor Standards Act (FLSA)
- B. Occupational Safety and Health Administration (OSHA)
- C. Federal Insurance Contributions Act (FICA)
- D. Employee Retirement Income Security Act (ERISA)

**Answer: C**

**Question: 160**

Lucas has asked his manager to take time off from work because of a holiday his religion celebrates. Fran agrees but tells Lucas that he will be inspecting his project work to ensure that the work is accurate and not suffering because of the requested time off. This is an example of what?

- A. Perpetuating past discrimination
- B. Religious persecution in the workforce
- C. Quality control
- D. Disparate treatment

**Answer: D**

**Question: 161**

As an HR Professional you must recognize, and be aware of several pieces of legislation that affects your performance as an HR Professional. Which one of the following acts used the terminology "work now, grieve later" to describe the urgency of performing work?

- A. Clayton Act
- B. National Labor Relations Act
- C. Railway Labor Act
- D. National Industrial Recovery Act

**Answer: C**

**Question: 162**

Sally is an HR Professional for an organization and she's working with Holly another HR Professional. Holly is concerned with effectiveness of a new policy. Sally is concerned with the efficiency of the new policy. What is the difference between effectiveness and efficiency?

- A. These are the same values in human resources.
- B. Efficiency is doing things right. Effectiveness is doing the right things.
- C. Efficiency is being effective when doing things. Effectiveness is doing the right things efficiently.
- D. Efficiency is knowing what to do. Effectiveness is doing what you know you should.

**Answer: B**

**Question: 163**

You are a 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 report is collected on odd-number of years from state and local governments?

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

**Answer: A**

**Question: 164**

Validity is an important part of the interview process. All HR Professionals should recognize validity through the interview process. Which one of the following is not one of the four types of validity?

- A. Content validity
- B. Professional validity
- C. Construct validity
- D. Predictive validity

**Answer: B**

**Question: 165**

Holly and Gary are HR Professionals in their organization and they're working to develop the strategic plan for their organization. Holly and Gary are using SWOT analysis to help understand the needs of human, financial, technological, capital, and other aspects of their organization. What is SWOT?

- A. SWOT is an analysis to define the schedule, weaknesses, opportunities, and timetable of a project endeavor.
- B. SWOT is an analysis to define the strengths, weaknesses, opportunities, and threats an organization may face.
- C. SWOT is an analysis to define the strengths, weaknesses, openness, and timeliness of an organization.
- D. SWOT is an analysis to define the seriousness, weaknesses, openness, and timetable of organization development.

**Answer: B**

**Question: 166**

Employers are required to provide a portable retirement plan to employees based on which of the following?

- A. Employee Retirement Income Security Act.
- B. Retirement benefits are not required by federal law.
- C. Older Worker Benefit Protection Act.
- D. Omnibus Budget Reconciliation Act.

**Answer: B**

**Explanation:**

Answer option B is correct.

No federal law requires employers to provide a retirement plan to employees. If employers do provide retirement benefits, ERISA (A) regulates how the plans are offered and administered. OBRA (D) capped executive pay, required health plans to honor qualified medical child-support orders, and required that group health plans provide coverage for dependent adopted children of employees. The OWBPA (C) amended the

ADEA to prohibit discriminating against older workers in benefit plans and defined requirements for employee waivers of their rights under the act.

Chapter: Compensation and Benefits

Objective: Review Questions

### Question: 167

Which of the following is provided by the companies to their employees who are called to work before or after their scheduled work hours?

- A. Reporting pay
- B. Base pay
- C. Shift premium
- D. Call-back pay

**Answer: D**

Explanation:

Answer option D is correct.

Chapter: Compensation and Benefits

Objective: Compensation

### Question: 168

The Federal Insurance Contributions Act requires employers to do which of the following?

- A. Provide health insurance for all employees
- B. Contribute to a defined-benefit plan
- C. Contribute to a deferred-compensation plan
- D. Withhold Social Security tax from pay

**Answer: D**

Explanation:

Answer option D is correct.

FICA requires employers to pay Social Security and Medicare for employees and to withhold an equal amount from employee paychecks. There is no federal law requiring employers to provide pension plans (B) and (C). No federal law requires employers to provide health insurance (A).

Chapter: Compensation and Benefits Objective: Review Questions

### Question: 169

Which of the following is the amount of compensation that the employer and the employee agree will be paid for the performance of particular duties?

- A. Performance-based pay

- B. Seniority-based compensation
- C. Pay differential
- D. Base pay

**Answer: D**

Explanation:

Answer option D is correct.

Chapter: Compensation and Benefits

Objective: Compensation

### **Question: 170**

Which of the following is comprised of any employee payments not associated with wages and salaries?

- A. Non-monetary compensation
- B. Direct compensation
- C. Indirect compensation
- D. Monetary compensation

**Answer: C**

Explanation:

Answer option C is correct.

Chapter: Compensation and Benefits

Objective: Total Rewards Defined

### **Question: 171**

Job fulfillment from working with a talented peer group is an example of which of the following types of compensation?

- A. Monetary
- B. Intrinsic
- C. Extrinsic
- D. Total rewards

**Answer: B**

Explanation:

Answer option B is correct.

Intrinsic rewards are driven by internal versus external factors. Job fulfillment based on work relationships, the opportunity to use strengths, and career growth are examples of nonmonetary compensation. Extrinsic rewards (C) are those rewards that are driven by external factors, usually in the form of monetary (A) or benefit rewards (components of a total rewards system (D)).

Chapter: Compensation and Benefits

Objective: Review Questions

### Question: 172

As a Senior HR Professional, you should be familiar with intrinsic rewards and extrinsic rewards that your company provides for its employees. Which of the following is an example of an intrinsic reward?

- A. Cash compensation
- B. Satisfaction from challenging and exciting assignments
- C. On-site cafeteria
- D. Esteem from working with other talented people

**Answer: B**

#### Explanation:

Answer option B is correct.

An intrinsic reward is one that encourages individual self esteem, such as satisfaction from challenging and exciting assignments.

Answer option A is incorrect. Cash compensation is a monetary reward for employment.

Answer option D is incorrect. Esteem from working with other talented people is an extrinsic reward.

Answer option C is incorrect. An on-site cafeteria is an example of a non-monetary reward.

Reference: Professional in Human Resources Certification Study Guide, Sybex, ISBN: 978-0-47043096-5.

Chapter Six: Total Rewards. Official PHR and SPHR Certification Guide, HR Certification Institute, ISBN: 978-1-586-44149-4, Section III, The US Body of Knowledge.

Chapter: Compensation and Benefits

Objective: Total Rewards Defined

### Question: 173

Which of the following is used to determine current market trends and competition for different skills and knowledge and to assist the employer in setting pay levels?

- A. Base pay
- B. Job evaluation
- C. Salary survey
- D. Gross pay

**Answer: C**

#### Explanation:

Answer option C is correct.

A salary survey is used to determine current market trends and competition for different skills and knowledge and to assist the employer in setting pay levels.

Answer option B is incorrect. Job evaluation is an objective mechanism used to determine the worth of different jobs to the company.

Answer option D is incorrect. Gross pay is the amount earned by an employee before taxes are pending.

Answer option A is incorrect. Base pay is the foundation of an employer's compensation program because it reflects the value placed on individual jobs by the organization.

Chapter: Compensation and Benefits

Objective: Total Rewards Defined

### Question: 174

An employee earning \$22,500 per year supervises three employees and spends 35 hours per week on essential job duties that require discretion and independent judgment. Which of the following describes this employee?

- A. Exempt, based on the administrative exemption test
- B. Exempt, based on the executive exemption test
- C. Nonexempt
- D. Nonexempt, based on the salary basis requirement

**Answer: D**

Explanation:

Answer option D is correct.

Effective in 2004, employees must be paid a minimum of \$455 per week to be exempt from FLSA requirements. This employee earns only \$432.69 per week. ( $\$22,500/52 \text{ weeks} = \$432.69$ .) Although C is also correct, the best answer is the one that explains why. See Chapter 6 for more information.

Chapter: Compensation and Benefits

Objective: Compensation

## Question: 175

DRAG DROP

Drag and drop the types of Qualified Deferred Compensation Plans that correspond to their descriptions.

Qualified Deferred Compensation Plan	Description
Place Holder	It relies on contributions from employees and employers to fund IRAs.
Place Holder	It allows employers to contribute deferred compensation based on a percentage of company earnings each year.
Place Holder	It uses a fixed percentage of employee earnings to defer compensation.
Place Holder	It is one in which the employer provides a pension for employees based on a formula.

Defined-Benefit    Defined-Contribution    Profit-Sharing    Money-Purchase

**Answer:**

Explanation:

Qualified Deferred Compensation Plan	Description
Defined-Contribution	It relies on contributions from employees and employers to fund IRAs.
Profit-Sharing	It allows employers to contribute deferred compensation based on a percentage of company earnings each year.
Money-Purchase	It uses a fixed percentage of employee earnings to defer compensation.
Defined-Benefit	It is one in which the employer provides a pension for employees based on a formula.

Defined-Benefit    Defined-Contribution    Profit-Sharing    Money-Purchase

The following are the types of Qualified Deferred Compensation Plans:

**Defined Benefit Plan:** A defined benefit plan is one in which the employer provides a pension for employees based on a formula.

**Defined Contribution Plan:** A defined contribution plan relies on contributions from employees and employers to fund IRAs.

**Profit Sharing Plan:** A profit sharing plan allows employers to contribute deferred compensation based on a percentage of company earnings each year.

**Money Purchase Plan:** A money purchase plan uses a fixed percentage of employee earnings to defer compensation.

Chapter: Compensation and Benefits

Objective: Benefits

### Question: 176

programs involve employees and managers in improving the organization's productivity and sharing the benefits of success.

**Answer: Gainsharing**

Gainsharing programs involve employees and managers in improving the organization's productivity and sharing the benefits of success.

Chapter: Compensation and Benefits

Objective: Compensation

### Question: 177

Which of the following describes salting?

- A. The union hires an individual to picket the employer's business.
- B. The union hires an individual to apply for a job with an employer and begin to organize the company.
- C. The union hires an individual to publicize its reasons for targeting an employer for unionization.
- D. The union hires an individual to distribute leaflets to employees as they are leaving work at the end of the day.

**Answer: B**

Explanation:

Answer option B is correct.

Salting occurs when a union hires an individual experienced at organizing tactics to apply for a job with a company that has been targeted for an organizing campaign (B). Options C, D, and A are tactics used by unions during organizing campaigns.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 178

A supervisor has called an employee in for an interview about an inventory shortage. When the supervisor begins asking questions, the employee invokes his Weingarten rights. The supervisor has the option to do which of the following?

- A. Discontinue the interview, and make the determination based on other evidence and documentation.
- B. Continue the interview while waiting for a co-worker to return from lunch.
- C. Stop the discussion while the employee calls an attorney.
- D. Stop the discussion until the shop steward is available upon return from vacation in 4 days.

**Answer: A**

**Explanation:**

Answer option A is correct.

Weingarten rights give all union members the right to request that a co-worker or shop steward be present during an interview if the employee believes the interview could lead to disciplinary action. The employer may decide to use other facts available without interviewing the employee. The Weingarten ruling does not entitle employees to have an attorney present (C). Employers are not required to wait for a lengthy period of time until the co-worker returns (D). The interview must be discontinued while waiting for the co-worker (B). As of 2004, employers are required to honor Weingarten requests only for union members.

Chapter: Employee and Labor Relations

Objective: Review Questions

**Question: 179**

Which of the following provides an anonymous means by which employees can provide ideas for improvements to management?

- A. Suggestion box
- B. Task force
- C. Committees
- D. Work team

**Answer: A**

**Explanation:**

Answer option A is correct.

Chapter: Employee and Labor Relations

Objective: Employee Relations

**Question: 180**

Which of the following requires employees to act within the authority granted by the employer?

- A. Duty of diligence
- B. Due process
- C. Duty of loyalty
- D. Duty of obedience

**Answer: D**

**Explanation:**

Answer option D is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 181

Which of the following is often formed to address ongoing issues in the organization?

- A. Delegating authority
- B. Committees
- C. Task force
- D. Virtual work team

**Answer: B**

Explanation:

Answer option B is correct.

Chapter: Employee and Labor Relations

Objective: Employee Relations

### Question: 182

\_\_\_\_\_ occurs when the employer forces an employee to resign by creating a work environment that is so unpleasant.

- A. Reengineering
- B. Public policy exception
- C. Salting
- D. Constructive discharge

**Answer: D**

Explanation:

Answer option D is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 183

Which of the following allows employees to work the hours that enable them to take care of personal work?

- A. Flextime
- B. Telecommuting
- C. Job sharing
- D. Overtime

**Answer: A**

Explanation:

Answer option A is correct.

Chapter: Employee and Labor Relations

Objective: Employee Relations

### Question: 184

Which of the following is a legal term that describes an action that injures someone?

- A. Tort
- B. Temp-to-perm
- C. Total Quality Management (TQM)
- D. TIPS

**Answer: A**

Explanation:

Answer option A is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 185

Which of the following is an action taken by the employer to stop employees from working?

- A. Calling conference
- B. Security checks
- C. Strike
- D. Lockout

**Answer: D**

Explanation:

Answer option D is correct.

Chapter: Employee and Labor Relations

Objective: Union Organization

### Question: 186

A union philosophy statement may have all of the following except which?

- A. A description of what a union cannot do for the employees
- B. Factual statements about the disadvantages of unions in the labor/management relationship
- C. A statement of the company's desire to remain union free
- D. A promise of extended benefits if the company remains union free

**Answer: D**

Explanation:

Answer option D is correct.

A company cannot threaten employees or make promises to them contingent on the workforce remaining union free. A philosophy statement should be geared toward communicating the company's desire to work

directly with the employees in discussions about working conditions or benefits. If a union does attempt to organize, it is important for the employer to work directly with outside council to determine the strategic benefits of discussing the desire to remain union free and the disadvantages/limitations of unions as employee representatives.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 187

Employee pension rights are protected by which of the following acts or regulations?

- A. The Sherman Antitrust Act
- B. The Equal Employment Opportunity Act
- C. Uniformed Services Employment and Reemployment Rights Act
- D. Executive Order 11246

**Answer: C**

Explanation:

Answer option C is correct.

USERRA protects the rights of reservists called to active duty in the armed forces and applies to all public and private employers in the United States. It includes pension protection for returning service members related to vesting, accrual, and employer contribution continuity. The Sherman Anti-Trust act is legislation used to control business monopolies, and Executive Order 11246 (D) prohibits employment discrimination. The Equal Employment Opportunity Act (B) provided litigation authority to the EEOC back in 1972.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 188

Which of the following requires an employee to act with reasonable care and skill in the course of performing work for the employer?

- A. Due process
- B. Duty of diligence
- C. Duty of obedience
- D. Duty of loyalty

**Answer: B**

Explanation:

Answer option B is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 189

Which of the following damages an individual's reputation in the community?

- A. Quid pro quo
- B. Vicarious liability
- C. Defamation
- D. Constructive Discharge

**Answer: C**

**Explanation:**

Answer option C is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### **Question: 190**

Employee Weingarten rights established which of the following?

- A. Employers may not deny a nonunion worker's request for representation during an investigatory hearing.
- B. Union employees have the right to have a union representative present at an investigatory interview.
- C. Employees have the right to consult with an attorney post-discipline.
- D. Employers have the right to deny the presence of a co-worker in an investigatory interview.

**Answer: B**

**Explanation:**

Answer option B is correct.

Weingarten rights were upheld by the NLRB, establishing that union workers have the right to representation in any meeting that may amount to an investigatory interview that could lead to disciplinary action. These rights do not currently apply to nonunion workers (A). Any employee has the right to consult with an attorney post-discipline, and employers do not have the right to deny representation to union workers (D, A) in a meeting that may result in discipline.

Chapter: Employee and Labor Relations

Objective: Review Questions

### **Question: 191**

When does double breasting occur?

- A. A neutral employer performs work that is normally done by striking employees.
- B. An employer has two companies that are substantially identical.
- C. Two businesses perform operations that are part of the same product.
- D. An employer has two businesses, one union and one nonunion, that do substantially the same work but have different management, equipment, and customers.

**Answer: D**

**Explanation:**

Answer option D is correct.

Double breasting occurs when an employer has two companies that are separate and distinct from each other but do the same type of work, and one company is union while the other is nonunion. This occurs most often in the construction industry when contractors have two different crews for bidding on union and nonunion jobs. An alter ego employer has two substantially identical businesses (B). The ally doctrine describes work that is done by a neutral employer while another business is shut down by a strike (A). A straight-line operation is one in which two businesses perform operations that complement each other's operations (C). If one business is struck, the other may be as well because they are engaged in a single economic enterprise.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 192

Which of the following is not a sign of union organizing activity by employees?

- A. An increase in requests for copies of the employee handbook
- B. The use of union terms at an all-employee meeting
- C. An increase in employee groupings in the parking lot
- D. An employee complaining of harassment by a co-worker

**Answer: D**

Explanation:

Answer option D is correct.

Unusual activity related to employee meetings (C), complaints against supervisors, the sudden use of union terms (B), and an increased interest in employee benefits (A) are all signs of potential union activity.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 193

An employee with a bachelor's degree, an employee who speaks English as a second language, and an individual over the age of 40 are all examples of what?

- A. A diverse work group
- B. Effective knowledge management programs
- C. Non-discriminatory hiring practices
- D. Protected class groups

**Answer: A**

Explanation:

Answer option A is correct.

Diversity simply means "the differences among people." Although diversity encompasses protected- class characteristics (D) and can be a measure of non-discriminatory hiring practices (C), it represents the differences of all employee behaviors and classifications. Knowledge management programs (B) refer to the ability of the

employer to retain and apply the collective knowledge of their workers to achieve strategic aims.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 194

Which of the following is developed over centuries as a result of legal decisions made by judges in individual cases?

- A. Comparable worth
- B. Compensable factors
- C. Common law doctrine
- D. Compulsory arbitration

**Answer: C**

Explanation:

Answer option C is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 195

Which of the following provides an informal setting for a group of employees to meet with their manager to learn more about the company?

- A. Brown-bag lunch program
- B. Department staff meetings
- C. Work team
- D. Word of mouth

**Answer: A**

Explanation:

Answer option A is correct.

Chapter: Employee and Labor Relations

Objective: Employee Relations

### Question: 196

In the \_\_\_\_\_ supervisors meet with their staff for updates and coordination of activities.

- A. Department staff meetings
- B. Brown-bag lunches
- C. Town hall meetings
- D. Managers meetings

**Answer: A**

Explanation:

Answer option A is correct.

Chapter: Employee and Labor Relations

Objective: Employee Relations

**Question: 197**

During a representation election, votes can be challenged by whom?

- A. By management or the union before the votes are cast
- B. By management only
- C. By the union only
- D. By management or the union at any time

**Answer: A**

Explanation:

Answer option A is correct.

Votes can be challenged by the union representative or by management only before the vote goes into the ballot box.

Chapter: Employee and Labor Relations

Objective: Review Questions

**Question: 198**

All of the following statements about employment at-will are true except which one?

- A. The employee may resign at any time, with or without notice.
- B. The employer may terminate the employee for cooperating with an SEC investigation.
- C. The employer may withdraw an offer of employment after the employee has accepted the position and resigned another job.
- D. The employer may terminate the employee at any time for any reason.

**Answer: B**

Explanation:

Answer option B is correct.

The public-policy exception to the at-will doctrine prevents an employer from terminating an employee who is cooperating in a government investigation of wrongdoing. Options D and B are elements of at-will employment. Option C would also be allowed based on the at-will doctrine but could be affected by other common-law doctrines.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 199

Which of the following is an example of a reference guide?

- A. An employee handbook
- B. An SOP
- C. A policy manual
- D. A troubleshooting manual

**Answer: D**

**Explanation:**

Answer option D is correct.

Collecting large amounts of data into one coherent document can be done through the use of an employee handbook that references policies (A), standard operating procedures (B), or reference guides. A troubleshooting manual (D) best represents the type of document designed for short-term reference of a specific nature.

Chapter: Employee and Labor Relations

### Question: 200

During a unionizing campaign, management may do which of the following in response to union allegations?

- A. Ask employees what the union is saying about the company.
- B. Point out the consequences of unionization based on past facts.
- C. Encourage nonunion employees to talk about the reasons they don't want the union.
- D. Tell employees that the company will have to move the jobs to another country if the union is elected.

**Answer: B**

**Explanation:**

Answer option B is correct.

The company may make truthful statements about a unionized environment during an organizing campaign, such as pointing out that employees will have to pay dues to the union. Although nonunion employees are free to talk about their reasons for not wanting a union (C), it is an unfair labor practice for the employer to encourage them to do so. Telling employees that the company will have to move the jobs to another country if the union is elected (D) is also a ULP, because it constitutes a threat. Employers may not threaten, interrogate, promise, or spy on (TIPS) employees during an organizing campaign (A).

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 201

If employees no longer want the union to represent them, they may petition the NLRB for which of the

following?

- A. Statutory bar
- B. Decertification
- C. Deauthorization
- D. Contract bar

**Answer: B**

Explanation:

Answer option B is correct.

The NLRB will conduct a decertification election if the employees present a petition signed by 30 percent of the employees in the bargaining unit. Management may not participate in or encourage employees to circulate the petition or provide any support in the process. Doing so is considered an unfair labor practice. A union can be deauthorized (C) if employees want to remove a union security clause, such as dues check-off. If there is a valid CBA in place (D), the NLRB will not direct an election. The NLRA prohibits an election if one took place during the preceding 12 months (A).

Chapter: Employee and Labor Relations

Objective: Review Questions

## Question: 202

“When the workplace is permeated with discriminatory intimidation, ridicule and insult that is sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an abusive working environment, Title VII is violated.” This is a statement made with regard to which of the following sexual-harassment court cases?

- A. Harris v. Forklift Systems, Inc.
- B. Faragher v. City of Boca Raton
- C. Burlington Industries v. Ellerth
- D. Oncale v. Sundowner Offshore Services

**Answer: A**

Explanation:

Answer option A is correct.

Harris v. Forklift Systems Inc. was referenced in the case of same-sex harassment brought to the Supreme Court in Oncale v. Sundowner (D). Oncale helped determine that gender is of little consequence when harassment meets the statutory requirements defined in Harris. Faragher v. City of Boca Raton (B) and Burlington Industries v. Ellerth (C) were also important cases aiding in interpreting the concept of sexual harassment in the workplace.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 203

The Occupational Safety and Health Administration is to the Occupational Safety and Health Act as the National Labor Relations Board is to which of the following?

- A. The Norris-La Guardia Act
- B. The National Labor Relations Act
- C. The Labor-Management Reporting and Disclosure Act
- D. The Labor-Management Relations Act

**Answer: B**

**Explanation:**

Answer option B is correct.

The NLRB was established by the NLRA to enforce provisions of the act related to conducting elections and preventing unfair labor practices. The LMRA, LMRDA and the Norris-La Guardia Act (D, C, A) are all examples of legislation influencing the application of unions in the workplace.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 204

An employee has resigned. During the exit interview, the employee tells HR that the reason for the resignation is that for the last 3 months the supervisor has been hostile, refused to provide instructions on work assignments, given the employee all the most unpleasant tasks in the department, and verbally reprimanded the employee in front of co-workers and customers. The employee may have a cause of legal action based on which of the following?

- A. Fraudulent misrepresentation
- B. The employer's duty of good faith and fair dealing
- C. Constructive discharge
- D. Promissory estoppel

**Answer: C**

**Explanation:**

Answer option C is correct.

Constructive discharge occurs when the employer forces an employee to resign by creating a work environment that is so unpleasant a reasonable person would resign. The duty of good faith and fair dealing (B) applies to contracts, requiring both parties to act in a fair and honest manner with each other to ensure that benefits of the contract are realized. Promissory estoppel (D) occurs when an employer entices an employee to take an action by promising a reward but then does not follow through on the reward. Fraudulent misrepresentation (A) occurs when an employer makes untrue promises or claims to a candidate.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 205

During a unionizing campaign, management may do which of the following in response to union allegations?

- A. Ask employees what the union is saying about the company.
- B. Point out the consequences of unionization based on past facts.
- C. Encourage nonunion employees to talk about the reasons they don't want the union.
- D. Tell employees that the company will have to move the jobs to another country if the union is elected.

**Answer:**

**Answer: B**

Explanation:

Answer option B is correct.

The company may make truthful statements about a unionized environment during an organizing campaign, such as pointing out that employees will have to pay dues to the union. Although nonunion employees are free to talk about their reasons for not wanting a union (C), it is an unfair labor practice for the employer to encourage them to do so. Telling employees that the company will have to move the jobs to another country if the union is elected (D) is also a ULP, because it constitutes a threat. Employers may not threaten, interrogate, promise, or spy on (TIPS) employees during an organizing campaign (A).

Chapter: Employee and Labor Relations Objective: Review Questions

### Question: 206

A union philosophy statement may have all of the following except which?

- A. A statement of the company's desire to remain union free
- B. A promise of extended benefits if the company remains union free
- C. A description of what a union cannot do for the employees
- D. Factual statements about the disadvantages of unions in the labor/management relationship

**Answer: B**

Explanation:

Answer option B is correct.

A company cannot threaten employees or make promises to them contingent on the workforce remaining union free. A philosophy statement should be geared toward communicating the company's desire to work directly with the employees in discussions about working conditions or benefits. If a union does attempt to organize, it is important for the employer to work directly with outside council to determine the strategic benefits of discussing the desire to remain union free and the disadvantages/limitations of unions as employee representatives.

Chapter: Employee and Labor Relations

Objective: Review Questions

### Question: 207

Which of the following requires that employees act in the best interest of the employer?

- A. Duty of diligence
- B. Duty of obedience
- C. Due process
- D. Duty of loyalty

**Answer: D**

Explanation:

Answer option D is correct.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 208

Which of the following is illegal except in the construction industry?

- A. Union shop clause
- B. Closed shop clause
- C. Agency shop clause
- D. Common shop clause

**Answer: B**

Explanation:

Answer option B is correct.

The closed shop clause is illegal except in the construction industry. The closed shop clause requires that all new hires be members of the union before they are hired.

Answer option C is incorrect. The agency shop clause specifies that all employees must either join the union or pay union dues if they choose not to join the union.

Answer option A is incorrect. The union shop clause requires that all employees join the union within a grace period specified by the contract.

Answer option D is incorrect. There is no such term as common shop clause.

Chapter: Employee and Labor Relations

Objective: Union Organization

### Question: 209

DRAG DROP

Match the Employee Involvement Strategies with their descriptions.

## Employee Involvement Strategies

1. Self directed work team
2. Task force
3. Work team
4. Suggestion box

## Description

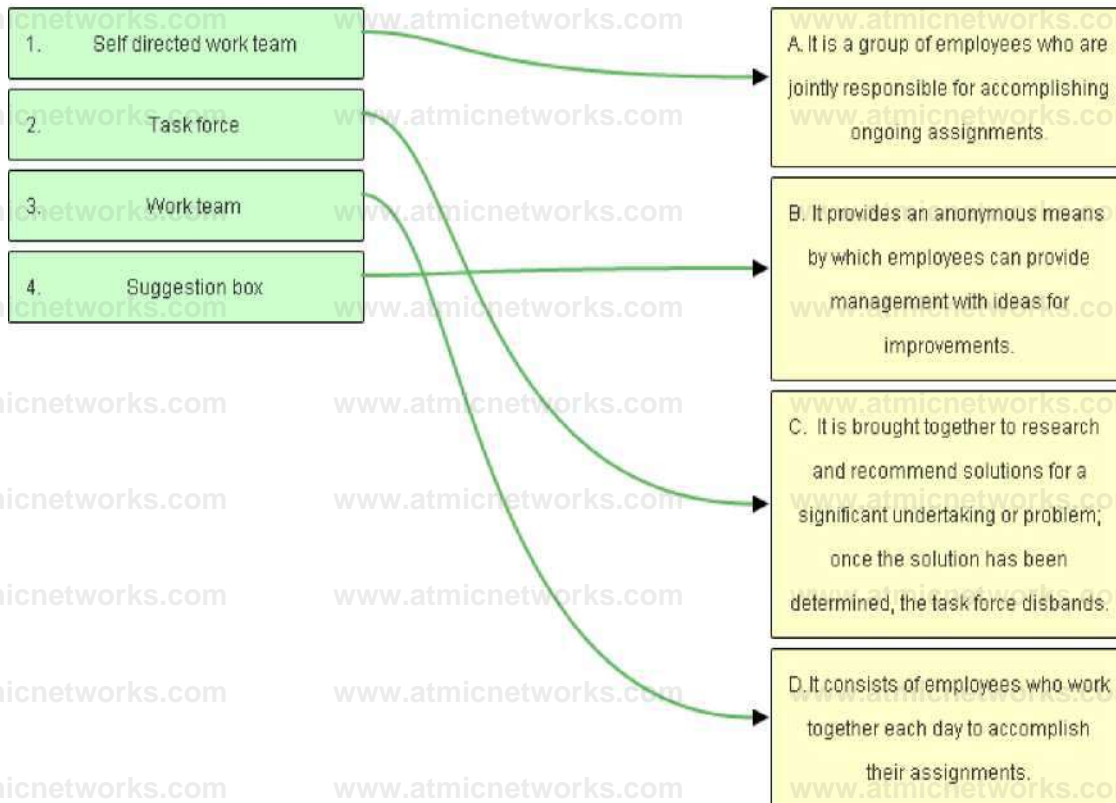
- A. It is a group of employees who are jointly responsible for accomplishing ongoing assignments.
- B. It provides an anonymous means by which employees can provide management with ideas for improvements.
- C. It is brought together to research and recommend solutions for a significant undertaking or problem; once the solution has been determined, the task force disbands.
- D. It consists of employees who work together each day to accomplish their assignments.

Explanation:

**Answer:**

## Employee Involvement Strategies

## Description



Employee involvement can be very simple, such as a suggestion box, or more complex, such as a selfdirected work team. The next section discusses a number of communication strategies that are a key aspect of effective employee-involvement programs. Other strategies for involving employees include the following:

**Suggestion Boxes:** A suggestion box provides an anonymous means by which employees can provide management with ideas for improvements. As with any method of soliciting information from employees, it's important that suggestions be acted on in a timely manner, or the concept of the **suggestion system** loses its credibility.

**Delegating Authority:** Management demonstrates respect for its employees by trusting them to make the decisions necessary to do their jobs. To do this effectively, management needs to delegate a sufficient level of authority to employees for making decisions or incurring expenses so they're free to **act without waiting for approval** to take necessary action.

**Task Force:** A task force is brought together to research and recommend solutions for a significant undertaking or problem; once the solution has been determined, the task force disbands. A task force might be created to analyze technological improvements in a manufacturing plant and recommend improvements that will meet the long-term strategic objectives of the organization.

**Committees:** Committees are often formed to address ongoing issues in the organization and may be permanent, such as a safety committee, or ad hoc, such as a group appointed to plan a company function.

Work Team: A work team consists of employees who work together each day to accomplish their assignments. The team can be composed of members in a single functional area, or it can have members from several functions that are needed to accomplish the goal. A functional work team might consist of employees in the marketing department who develop collateral pieces for company products. A cross-functional work team might consist of employees from the research and development, manufacturing, marketing, operations, and accounting departments who are responsible for developing, launching, and marketing a specific product.

Virtual Work Team: A virtual work team operates in much the same way as a work team, with one major exception: team members aren't located in the same building but may work anywhere in the world and connect through the Internet to accomplish team assignments.

Employee-Management Committees: Employee-management committees are used to solve problems in a variety of areas, such as production schedules, safety, and employee social events. The inclusion of employees on these committees helps to bring all the information to the table for making decisions and provides employees with input into how they do their jobs. From this point of view, they make positive contributions to operations.

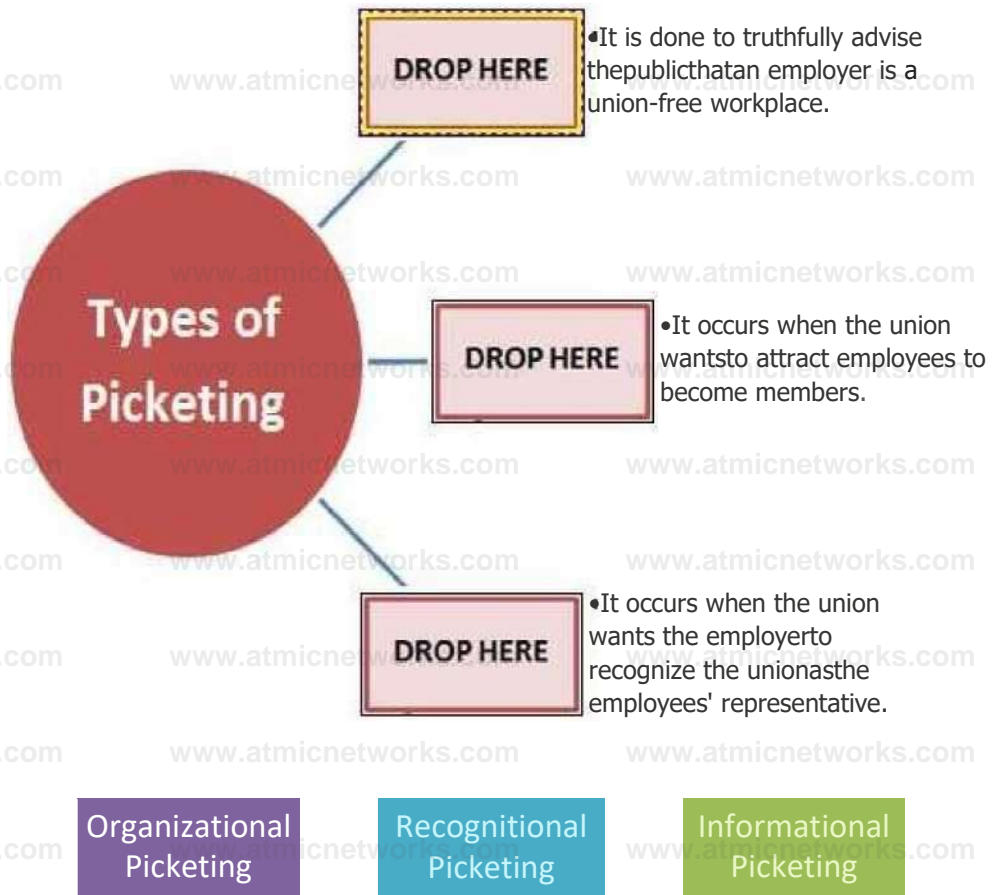
Chapter: Employee and Labor Relations

Objective: Employee Relations

## Question: 210

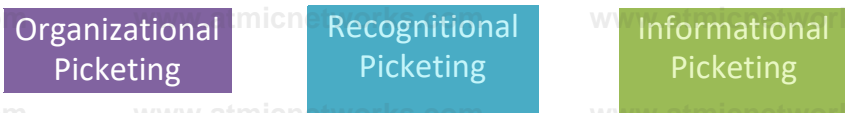
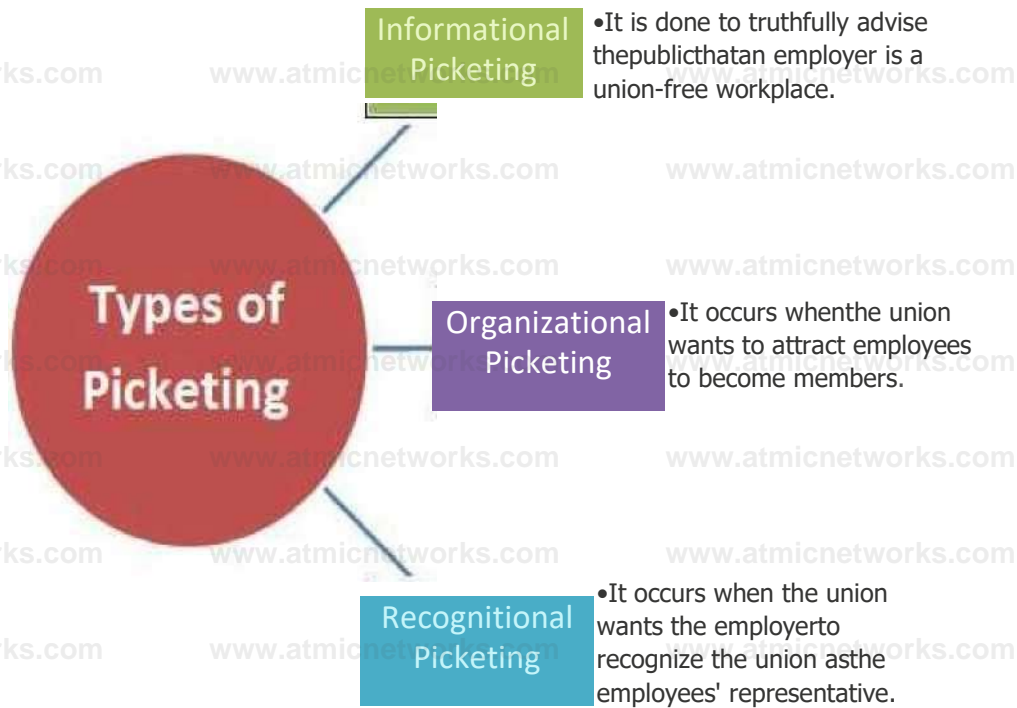
DRAG DROP

Drag and drop the types of picketing beside their corresponding descriptions.



Explanation:

**Answer:**



The types of picketing are as follows:



Objective: Union Organization

### Question: 211

DRAG DROP

Match the Common law doctrine of employment with their descriptions.

#### Common law

#### doctrine of employment

#### Description

1. Duty of diligence
2. Duty of obedience
3. Duty of loyalty

A. It requires employees to act within the authority granted by the employer and to follow the employer's reasonable and legal policies, procedures, and rules.

B. It requires that employees act in the best interest of the employer and not solicit work away from the employer to benefit themselves.

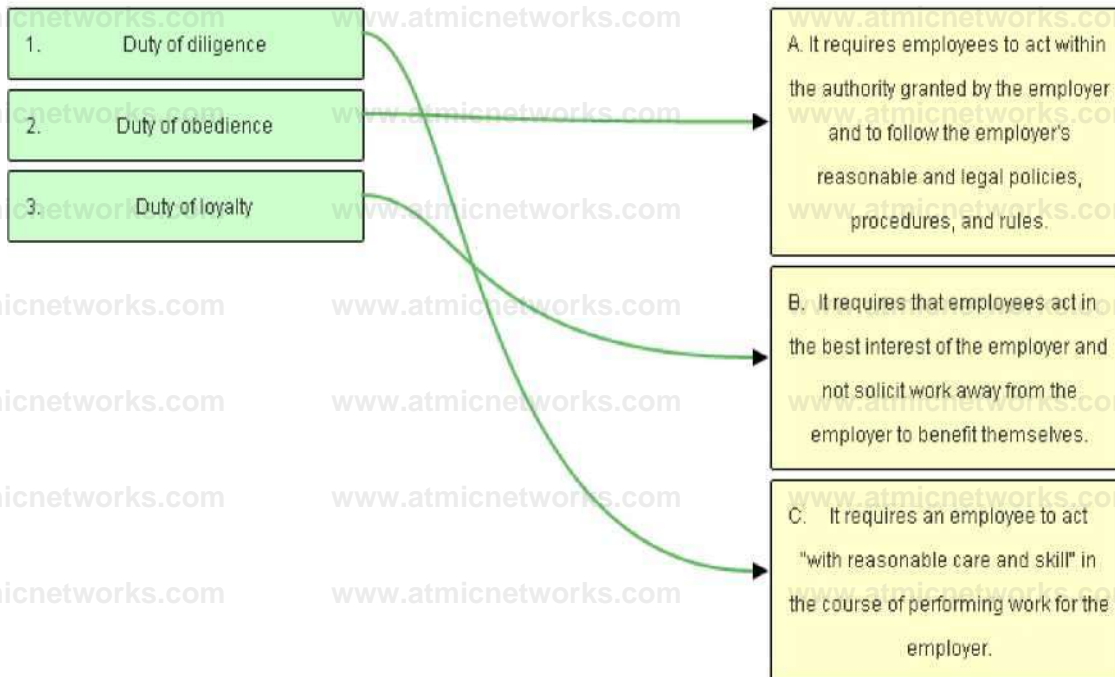
C. It requires an employee to act "with reasonable care and skill" in the course of performing work for the employer.

#### Answer:

Explanation:

## Common law doctrine of employment

## Description



The common law doctrine of employment at will provides employees with the right to leave a job at any time, with or without notice. Other common law doctrines place responsibilities on employees in the employment relationship as well:

The duty of diligence requires an employee to act "with reasonable care and skill" in the course of performing work for the employer.

The duty of obedience requires employees to act within the authority granted by the employer and to follow the employer's reasonable and legal policies, procedures, and rules.

The duty of loyalty requires that employees act in the best interest of the employer and not solicit work away from the employer to benefit themselves.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 212

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

**Answer: A**

**Explanation:**

Answer option A is correct.

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 non-striking 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.

Reference: PHR Exam Prep, Pearson Education, ISBN: 978-0-7897-3677-2. Chapter Seven: Employee and Labor Relations. Official PHR and SPHR Certification Guide, HR Certification Institute, ISBN: 9781-586-44149-4, Section III, The US HR Body of Knowledge.  
Chapter: Employee and Labor Relations

Objective: Union Organization

### **Question: 213**

Mary is in an interview with the BAH Company and she asks the company about the stability of the company and its future plans. Tom, the interviewer, assures Mary that the company is solid and has long-term plans for growth and opportunity. Tom, however, knows that the plant and position that Mary is interviewing for will be closed in six months. Tom offers Mary the position of plant manager because he needs someone to manage the facility until they close the plant, but he doesn't tell Mary of his plans. This is an example of which of the following?

- A. Defamation
- B. Fraudulent misrepresentation
- C. Constructive discharge
- D. Respondeat superior

**Answer: B**

**Explanation:**

Answer option B is correct.

Tom is committing fraudulent misrepresentation as Mary has asked about the well-being of the company. Tom knows the plant will be closing and just needs a manager for the plant for the next six

months. He hires Mary without telling her this news and implies that the company has a commitment to

Mary for a long time.

Answer option C is incorrect. A constructive discharge is a workplace environment which is so hostile that the employee feels obligated to quit.

Answer option D is incorrect. The Latin phrase respondeat superior means "let the master answer." It means the employer can be held liable for the actions of the employee.

Answer option A is incorrect. Defamation happens when an employer or employee tries to defame the reputation of the other during or after a termination process. For example, an employer may give negative references about the terminated employee.

Reference: Professional in Human Resources Certification Guide, Sybex, ISBN: 978-0-470-43096-5.

Chapter 7: Employee and Labor Relations. Official PHR and SPHR Certification Guide, HR Certification Institute, ISBN: 978-1-586-44149-4, Section III, The US Body of Knowledge.

Chapter: Employee and Labor Relations

Objective: Federal Employment Legislation

### Question: 214

Which of the following Acts applies to businesses with federal contracts of \$100,000 or more each year?

- A. Sarbanes-Oxley Act
- B. Drug-Free Workplace Act
- C. Occupational Safety and Health Act
- D. Mine Safety and Health Act

**Answer: B**

Explanation:

Answer option B is correct.

Chapter: Risk Management

Objective: Risk Management

### Question: 215

If an employee files a complaint with OSHA, under which of the following would they be protected?

- A. Whistle-blower protection
- B. General-duty clause
- C. Physical environmental hazard
- D. Emergency action

**Answer: A**

Explanation:

Answer option A is correct.

Whistleblower standards protect an employee's right to file a complaint to OSHA about a workplace safety or health hazard. It is considered a basic employee right granted under the OSH act in 1970. Emergency action (D) is a type of plan required by OSHA, and the general duty clause (B) states that employers have a general duty to provide a safe and healthy workplace for employees.

Chapter: Risk Management

Objective: Review Questions

### Question: 216

An emphasis on bilingual safety communication represents which of the following OSH objectives?

- A. Requirement for enrollment in the voluntary protection program
- B. Compliance with a model program
- C. An emphasis on safety training required under OSHA's general industry standard
- D. An outreach objective of OSHA's Diverse Workforce strategy

**Answer: D**

Explanation:

Answer option D is correct.

Raising awareness about safety and health is the responsibility of employers covered by all standards. Providing safety and health information in a language all employees can understand is part of the Diverse Workforce Limited Proficiency Outreach strategy. It is not specifically required by its own standard, nor is it an element of creating a model program (B) or enrolling in a VPP. Employers are however required to effectively communicate the safety rules to all employees. Chapter: Risk Management

Objective: Review Questions

### Question: 217

Which of the following Acts establishes mandatory safety and health standards for mine operators and monitors operations throughout the United States?

- A. OSH act
- B. MSH act
- C. FLS act
- D. SBREF act

**Answer: B**

Explanation:

Answer option B is correct.

Chapter: Risk Management

Objective: Risk Assessment

### Question: 218

Which of the following is usually accomplished by purchasing insurance?

- A. Risk acceptance
- B. Risk avoidance
- C. Risk transfer
- D. Risk mitigation

**Answer: C**

Explanation:

Answer option C is correct.

Chapter: Risk Management

Objective: Risk Management

### Question: 219

Which of the following standards is the most frequently cited type of OSHA violation?

- A. Construction
- B. Maritime
- C. Whistle-blower
- D. Agriculture

**Answer: A**

Explanation:

Answer option A is correct.

The construction and general industry standards are the most frequently violated—and therefore the most frequently cited—of the four major areas for which OSH provides standards. These areas include general industry, construction, maritime (B), and agriculture (D). Whistle-blower protection (C) is granted under the Sarbanes-Oxley Act.

Chapter: Risk Management

Objective: Review Questions

### Question: 220

Which of the following Acts provides workers compensation benefits for maritime workers whose injuries occur on the navigable waters of the United States or on piers, docks, or terminals?

- A. Sarbanes-Oxley Act
- B. Black Lung Benefits Act
- C. Longshore and Harbor Workers' Compensation Act
- D. Drug-Free Workplace Act

**Answer: C**

**Explanation:**

Answer option C is correct.

Chapter: Risk Management

Objective: Risk Assessment

### **Question: 221**

A key consideration for courts in cases involving workplace searches is which of the following?

- A. Whether the employee had a reasonable expectation of privacy
- B. Whether the employer had a policy regarding workplace searches
- C. How the employer handled similar situations in the past
- D. The specific laws of the state where the employer is conducting business

**Answer: A**

**Explanation:**

Answer option A is correct.

The courts will determine whether the employee had a reasonable expectation of privacy based on the employer policy (B), how situations have been handled in the past (C), and state-by-state regulations of employee privacy laws (D).

Chapter: Risk Management

Objective: Review Questions

### **Question: 222**

Which of the following Acts provides compensation for employees and contractors of the Department of Energy who were subjected to excessive radiation while producing and testing nuclear weapons?

- A. Drug-Free Workplace Act
- B. Energy Employees Occupational Illness Compensation Program Act
- C. Fair Labor Standards Act
- D. Federal Employees Compensation Act

**Answer: B**

**Explanation:**

Answer option B is correct.

Chapter: Risk Management

Objective: Risk Management

### **Question: 223**

The company receptionist has always been cheerful and warm when greeting customers and has taken the initiative to do what needed to be done without waiting to be told. She has always kept the front desk tidy and presentable for visitors. Over the last few weeks, the receptionist has become moody and called in sick several times complaining of headaches, and the reception area looks disorganized all the time. This receptionist is

showing classic signs of which of the following?

- A. Substance abuse
- B. Job dissatisfaction
- C. Stress
- D. SARS

**Answer: C**

**Explanation:**

Answer option C is correct.

The receptionist is exhibiting symptoms of all three types of stress: physical, emotional, and mental. SARS (D) is a type of disease, and while her symptoms could be attributed to job dissatisfaction (B), there must still be a root cause.

Chapter: Risk Management

Objective: Review Questions

### **Question: 224**

Which of the following standards establishes permissible noise levels for the workplace?

- A. Personal Protective Equipment
- B. Medical Services and First Aid
- C. Hazard Communication Standard
- D. Occupational Noise Exposure

**Answer: D**

**Explanation:**

Answer option D is correct.

Chapter: Risk Management

Objective: Risk Assessment

### **Question: 225**

Which of the following Acts is used to ensure the safety of workers in coal and other mines?

- A. Sarbanes-Oxley Act
- B. Mine Safety and Health Act
- C. Drug-Free Workplace Act
- D. Occupational Safety and Health Act

**Answer: B**

**Explanation:**

Answer option B is correct.

Chapter: Risk Management  
Objective: Risk Assessment

### Question: 226

The 16-year-old son of one of your friends is looking for a summer job and has been offered a job at a coal mine. Which of the following makes this illegal?

- A. Fair Labor Standards Acts
- B. Occupational Safety and Health Act
- C. Mine Safety and Health Act
- D. Hazard Communication

**Answer: A**

Explanation:

Answer option A is correct.

The FLSA defines a list of jobs not suitable for children between the ages of 16 and 18. OSHA regulates worker safety through standards related to mine safety and hazardous communication. Chapter: Risk Management

### Question: 227

What is the best way to ensure that employees comply with the Drug-Free Workplace Act?

- A. Establish an awareness program.
- B. Establish penalties for drug arrests.
- C. Notify employees about contract conditions.
- D. Develop and publish a written policy.

**Answer: D**

Explanation:

Answer option D is correct.

Although all of these are steps in the process, the best way to ensure that employees will comply with the Drug-Free Workplace Act is to develop and publish a written policy.

Chapter: Risk Management  
Objective: Review Questions

### Question: 228

Which of the following assets consist of buildings, manufacturing machines and equipment, vehicles, furniture, and office equipment?

- A. Information assets
- B. Financial assets

- C. Physical assets
- D. Human assets

**Answer: C**

**Explanation:**

Answer option C is correct.  
Chapter: Risk Management  
Objective: Risk Management

### **Question: 229**

Which of the following Acts encourages the states to take the lead in developing and enforcing safety and health programs for businesses within their jurisdictions?

- A. Mine Safety and Health Act
- B. Sarbanes-Oxley Act
- C. Drug-Free Workplace Act
- D. Occupational Safety and Health Act

**Answer: D**

**Explanation:**

Answer option D is correct.  
Chapter: Risk Management  
Objective: Risk Assessment

### **Question: 230**

Which of the following serves to motivate employees to work safely, reduce workers compensation costs, and encourage improvements to safety programs?

- A. Health and Safety Program
- B. Voluntary Protection Program (VPP)
- C. Strategic Protection Program
- D. Strategic Partnership Program

**Answer: B**

**Explanation:**

Answer option B is correct.  
Chapter: Risk Management  
Objective: Risk Assessment

### **Question: 231**

An effective safety and health-management plan does not include which of the following?

- A. Senior management support
- B. Active hazard-prevention program
- C. Regular OSHA inspections
- D. Ongoing worksite analysis

**Answer: C**

**Explanation:**

Answer option C is correct.

OSHA inspections are conducted at the request of an employee based on a safety violation, as a preprogrammed high-hazard inspection, or on a random basis. The four characteristics of a safety and health-management plan are senior management support (A), ongoing worksite analysis (D), active hazard-prevention and -control programs (B), and ongoing safety and health training. Chapter: Risk Management

Objective: Review Questions

### **Question: 232**

An employee-assistance plan will not assist employees with what?

- A. Outplacement counseling
- B. Substance abuse
- C. Gambling problems
- D. Legal assistance

**Answer: C**

**Explanation:**

Answer option C is correct.

EAPs provide counseling for a variety of employee needs, including financial and legal counseling (D), substance abuse (B), and help to quit smoking. Outplacement counseling (A) is often, but not always, included in an EAP. The plans typically do not cover gambling.

Chapter: Risk Management

Objective: Review Questions

### **Question: 233**

Which of the following standards requires employers to provide employees with information about physical and health hazards related to chemical use in the workplace?

- A. Personal protective equipment
- B. Hazard communication
- C. General duty clause
- D. The control of hazardous energy

**Answer: B**

**Explanation:**

Answer option B is correct.

While the use of PPE (A) could certainly be used to mitigate the exposure of hazardous chemicals in the workplace, it is the Hazard Communication Standard that requires employers to inform employees of the risks associated with chemical use in the workplace. The general-duty clause (C) is used for safety hazards that are not specifically identified through an existing standard. The control of hazardous energy (D) is part of the lockout/tagout standard.

Chapter: Risk Management

Objective: Review Questions

**Question: 234**

Which of the following addresses the way a physical environment is designed and how efficient and safe that design is for the people in that environment?

- A. Ergonomics
- B. Fair Labor Standards Act (FLSA)
- C. Drug-Free Workplace Act
- D. Mine Safety and Health Act (MSHA)

**Answer: A**

**Explanation:**

Answer option A is correct.

Chapter: Risk Management

Objective: Risk Assessment

**Question: 235**

Which of the following processes is taken to reduce the risk?

- A. Risk acceptance
- B. Risk transfer
- C. Risk avoidance
- D. Risk mitigation

**Answer: D**

**Explanation:**

Answer option D is correct.

Chapter: Risk Management

Objective: Risk Management

### Question: 236

Which of the following standards requires employers to provide employees with information about physical and health hazards related to the use of chemicals in the workplace?

- A. Medical Services and First Aid
- B. Hazard Communication Standard
- C. Occupational Noise Exposure
- D. Personal Protective Equipment

**Answer: B**

#### Explanation:

Answer option B is correct.

Chapter: Risk Management

Objective: Risk Assessment

### Question: 237

Which of the following groups have not been identified for protection under the Americans with Disabilities Act as it relates to substance abuse?

- A. Current abusers of alcohol
- B. Current users of legal drugs
- C. Current users of illegal drugs
- D. Recovering addicts

**Answer: C**

#### Explanation:

Answer option C is correct.

Current users of illegal drugs are specifically excluded from protection under the ADA. The ADA, however, does not require that an employer retain any employee whose substance abuse—regardless of the status or type of substance—represents a serious safety risk to themselves or others. Recovering addicts are protected by the ADA. And, depending on certain conditions, users of legal substances such as alcohol or prescription drugs may be protected by the ADA.

Chapter: Risk Management

Objective: Review Questions

### Question: 238

Which of the following Acts requires employers to record health and safety incidents that occur each year and to document steps they take to comply with regulations?

- A. Occupational Safety and Health Act
- B. Mine Safety and Health Act
- C. Drug-Free Workplace Act
- D. Sarbanes-Oxley Act

**Answer: A**

**Explanation:**

Answer option A is correct.  
Chapter: Risk Management  
Objective: Risk Assessment

**Question: 239**

Millie is an injured worker who has been back to work on modified duty for approximately 13 months. Which of the following return-to-work strategies would best help Millie get back to full duty?

- A. Paying to have her evaluated by an independent medical examiner
- B. Reasonably accommodating her into a more permanent position
- C. Terminating her employment as she is no longer qualified to do the work for which she was hired
- D. Continuing the modified duty assignment until she is released to full duty

**Answer: A**

**Explanation:**

Answer option A is correct.

An IME will allow Millie to be evaluated by an impartial third party. Modified duty is a short-term solution to be used when an injured worker is able to return to work but not to full duty (D). A reasonable accommodation strategy (B) may become necessary, but only after Millie's diagnosis and treatment plan is clearly understood. Terminating her employment (C) prior to identifying the extent of her qualifications and limitations is not advisable.

Chapter: Risk Management  
Objective: Review Questions

**Question: 240**

How can an employer determine whether a job creates an ergonomic hazard for an employee?

- A. Review the MSDS.
- B. Observe the incumbent performing the job duties.
- C. Review and analyze the OSHA logs.
- D. Review and analyze the workers' compensation records.

**Answer: B**

**Explanation:**

Answer option B is correct.

Although a review and analysis of OSHA logs (C) or workers' compensation records (D) can be used to determine any injury patterns occurring in the workplace, observing the incumbent (B) performing the work is necessary to determine whether there is an ergonomic hazard in the job. An MSDS (A) describes chemical hazards

unrelated to ergonomics.

Chapter: Risk Management

Objective: Review Questions

### Question: 241

Which of the following Acts provides benefits to coal miners?

- A. Black Lung Benefits Act
- B. Federal Employees Compensation Act
- C. Occupational Safety and Health Act
- D. Sarbanes-Oxley Act

**Answer: A**

Explanation:

Answer option A is correct.

Chapter: Risk Management

Objective: Risk Management

### Question: 242

The union rep has requested copies of all the incident reports filed during the last year. You are required to do what?

- A. Furnish copies within 15 calendar days but only of the "Tell Us About the Case" section
- B. Furnish the copies by the end of the next business day
- C. Furnish copies of the "Tell Us About the Case" section within 7 calendar days
- D. Furnish the copies by the end of the day

**Answer: C**

Explanation:

Answer option C is correct.

The employee representative is entitled to receive copies of incident reports with the identifying information omitted. Employers have 7 calendar days to provide the information to an employee representative. Copies of the OSHA form 300 log must be provided by the end of the following business day (B) when requested by employees or their representatives. Options A and B do not apply to OSHA requirements.

Chapter: Risk Management

Objective: Review Questions

### Question: 243

Which of the following Acts establishes mandatory safety and health standards for mine operators and monitors operations throughout the United States?

- A. FLS act

- B. SBREF act
- C. OSH act
- D. MSH act

**Answer: D**

**Explanation:**

Answer option D is correct.  
Chapter: Risk Management  
Objective: Risk Assessment

### **Question: 244**

If an employee files a complaint with OSHA, under which of the following would they be protected?

- A. Emergency action
- B. Physical environmental hazard
- C. General-duty clause
- D. Whistle-blower protection

**Answer: D**

**Explanation:**

Answer option D is correct.

Whistleblower standards protect an employee's right to file a complaint to OSHA about a workplace safety or health hazard. It is considered a basic employee right granted under the OSH act in 1970. Emergency action (A) is a type of plan required by OSHA, and the general duty clause (C) states that employers have a general duty to provide a safe and healthy workplace for employees.

Chapter: Risk Management  
Objective: Review Questions

### **Question: 245**

Which of the following has established standards for personal protective equipment (PPE)?

- A. Drug-Free Workplace Act
- B. Mine Safety and Health Act (MSHA)
- C. Fair Labor Standards Act (FLSA)
- D. Occupational Safety and Health Act (OSHA)

**Answer: D**

**Explanation:**

Answer option D is correct.  
Chapter: Risk Management  
Objective: Risk Assessment

### Question: 246

Which of the following Acts applies to children in the workforce?

- A. Occupational Safety and Health Act (OSHA)
- B. Drug-Free Workplace Act
- C. Fair Labor Standards Act (FLSA)
- D. Mine Safety and Health Act (MSHA)

**Answer: C**

Explanation:

Answer option C is correct.

Chapter: Risk Management

Objective: Risk Assessment

### Question: 247

Under OSHA regulations, employers do not have the right to do which of the following?

- A. Request a variance to an OSHA standard while waiting for repairs
- B. Consult with OSHA to correct hazards without fear of a citation and penalty
- C. File a Notice of Contest within 30 days of the citation
- D. Refuse to allow an OSHA inspector on the premises

**Answer: C**

Explanation:

Answer option C is correct.

A Notice of Contest must be filed within 15 days of the citation. The OSH Act requires employers to allow the CSHO to inspect the workplace (D). Employers may request variances until repairs are made (A) or for processes that provide equal or greater safety for workers. Employers may consult with OSHA to identify possible hazards without fear of a citation or penalty (B); but once a consultant becomes involved, the employer must abate any violations, or the consultant will refer the violation to an OSHA inspector.

Chapter: Risk Management

Objective: Review Questions

### Question: 248

Which of the following injuries would be considered work-related for purposes of reporting?

- A. An employee choked on a sandwich while eating her lunch.
- B. An employee caught a cold from a co-worker.
- C. An employee fell in the parking lot while playing a voluntary game of basketball on his lunch break.
- D. An employee sprained his ankle while loading a truck on the dock.

**Answer: D**

Explanation:

Answer option D is correct.

Generally, injuries are not work-related if the employee is engaged in a voluntary wellness activity (C), eating food prepared for personal consumption (A), or has the common cold/flu (B). This is important for two reasons: to determine OSHA recordability and to determine compensability under workers' compensation.

Chapter: Risk Management

Objective: Review Questions

**Question: 249**

The doctrine of contributory negligence was used to mitigate the employer's responsibility if the worker's actions contributed in any way to the injury.

**Answer: contributory**

Explanation:

The doctrine of contributory negligence was used to mitigate the employer's responsibility if the worker's actions contributed in any way to the injury.

Chapter: Risk Management

Objective: Risk Management

**Question: 250**

DRAG DROP

Drag and drop the OSHA inspection hazards according to their priorities.



**Answer:**

Explanation:



The OSHA inspection hazards in their order of priority are as follows:



Chapter: Risk Management  
Objective: Risk Assessment

**Question: 251**

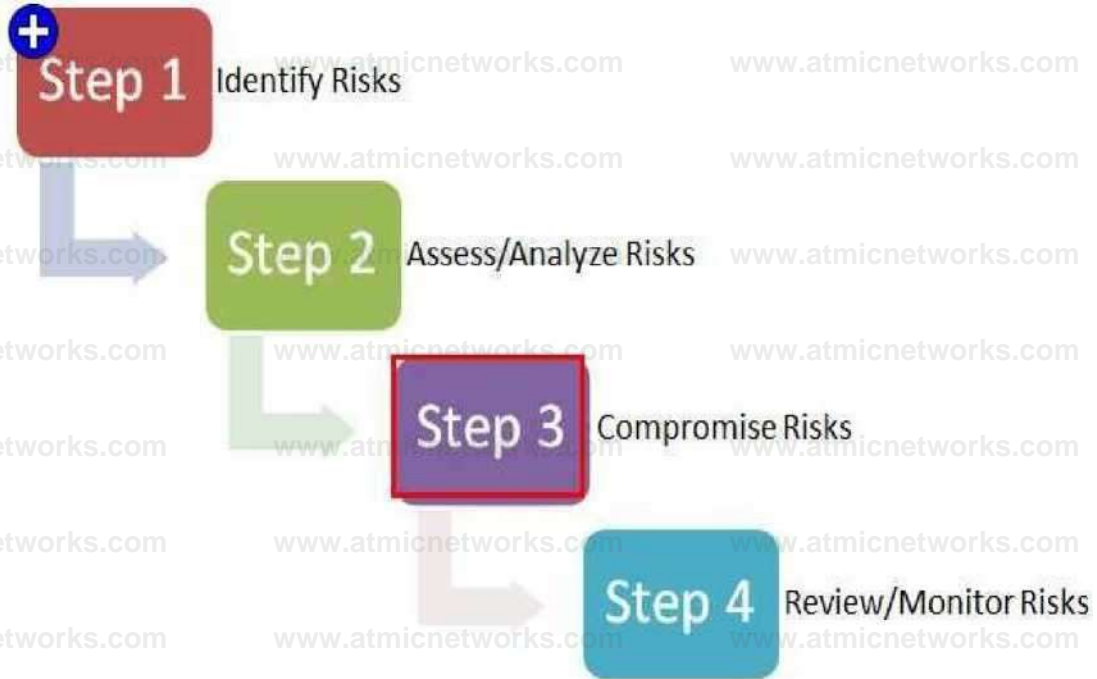
HOTSPOT

Mark the step that does NOT come under risk management.



**Answer:**

Explanation:



The steps of risk management are as follows:



Chapter: Risk Management

### Question: 252

According to the OSHA inspection priorities, which type of workplace hazard receives first priority for an inspection?

- A. Imminent danger
- B. Programmed high-hazard inspections
- C. Catastrophes and fatal accidents
- D. Employee complaints

**Answer: A**

Explanation: