

JOB ANALYSIS BEHAVIOUR AND LEGAL ISSUES

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ABSTRACT

Job Analysis is a detailed description of the physical and other demands of a job or job goal based on direct observation of the job. Among other things, it describes what the worker does in terms of activities and functions, and the worker characteristics (skills, knowledge, abilities, and adaptabilities) needed to accomplish the tasks involved. Job Analysis is a process to identify and determine in detail the particular job duties and requirements and the relative importance of these duties for a given job. Job Analysis is a process where judgments are made about data collected on a job. A Job Analysis is a detailed look at a particular job or job classification. It is a process used to identify all of the specific tasks (work/objectives) required to perform a particular job. Once all of the tasks are identified, then all of the specific knowledge, skills and abilities required to be able to perform each task are identified. Job Analysis is a concept that has been defined by the Equal Employment Opportunity Commission, the Civil Service Commission, the Department of Labor, and the Department of Justice. As defined, it is work activity performed to achieve the objectives of the job and a detailed statement of work and other information relevant to a job.

The objective of this research is to look and explore the behavior and legal aspects of job analysis. The purpose of the study is to know about the behavior and legal aspects relating to job for hiring the employees and determining the remuneration. Job analyses are conducted in order to make better employment and management decisions, to save money, to increase productivity, and to comply with federal and state laws where adverse impact is found related to prohibited discriminatory factors. It is most often used in the examination process but may also be used to conduct job audits, support classification specification revisions and resolve return to work

issues and other personnel or management functions. Furthermore, one perspective of the study is to define the importance and role of job analysis to employees/ workers.

Our findings indicated that different number of industries, companies, firms and Corporations use job analysis to hire the qualified and efficient workers to perform the job successfully. Job analysis seeks to gather information about the job under two broad categories; primary is the job related duties and responsibility requirements and the second is the job related knowledge, skills and abilities requirements.

The companies use the prospective behavior in their job to fulfill the legal framework. Today's companies are more conscious and aware to obtain accurate, current, and reliable information about jobs in order to make better employment and management decisions, to save money, to increase productivity, and to comply with federal and state laws where adverse impact is found related to prohibited discriminatory factors. Job analysis, as the foundation of selection procedures, provides employers with a means to make sound, cost-effective employment decisions.

Selection procedures based on a thorough job analysis are designed to identify the best qualified candidates for a job. However we also discovered that Govt. had provided some legal framework or aspects of job analysis. We have used the all over secondary data to describe behavior and legal aspects of job analysis.

Keywords:- Job Analysis, Behavioral aspects of job Analysis, impacts of behavioral factors on Job Analysis, legal issues of job analysis, Job analysis Law and advantages of Job Analysis.

INTRODECTION

The cornerstone of an effective selection system is a thorough analysis of the relevant knowledge, skills, attitudes and other personal qualities associated with successful performance in a given role, as this enables accurate identification of domains to be targeted at selection.

Job Analysis is a process to identify and determine in detail the particular job duties and requirements and the relative importance of these duties for a given job. Job Analysis is a process where judgments are made about data collected on a job. Job Analysis data may be

collected from the injured worker, other workers and the employer- at-injury through interviews or questionnaires, the product of the analysis is a description or specifications of the job, not a description of the person.

(Rudman, 2000) defined "Job analysis is a process of gathering, assessing and recording information. It is essential preparation for writing job descriptions-."

(Byars, 1994) defined that Job analysis is the process of determining through observation and study the pertinent information relating to the nature of a specific job.

Job analysis has been one of the most useful tools for gathering information and developing content valid and legally defensible selection procedure for a wide variety of jobs (Harvey, 1991).

Harvey (1991) defined job analysis as “the collection of data on (a) ‘job-oriented’ behavior, such as job tasks and work procedures; (b) more abstract ‘worker-oriented’ behavior, such as decision making, supervision, and information processing; (c) behaviors involved in interactions with machines, materials, and tools; (d) methods of evaluating performance, such as productivity and error rates; (e) job context, such as working conditions and type of compensation systems; and (f) personnel requirements, such as skills, physical ability, and personality traits”.

There is no given rule for the number of individuals who should participate in a job analysis, however guidance is provided on the acceptable number of participants needed to obtain reliable and accurate information about a job. Job analysis is a process and not a single methodology. There are multiple ways to gather and analysis job information. Best practice advises a multi method approach to job analysis which gathers information from multiple sources using multiple means, as this identification of aspects of a job that may not be accessible through a single methodology. Data collected from multiple sources also prevent potential biases from a single source and using multiple methods allows for convergence of results to make the job analysis more comprehensive.

Job analysis is the procedure through which you determine the duties of these positions and the characteristics of the people to hire for them. Job analysis produces information used for writing

job descriptions (a list of what the job entails) and job specifications (what kind of people to hire for the job). The supervisor or HR specialist normally collects information about the job's actual work activities, such as cleaning, selling, teaching, or painting. This list may also include how, why, and when the worker performs each activity.

Legal Requirement Procedures provide a set of generally accepted principles on employee selection procedures, including when and how to conduct a job analysis that will meet the standards of the Guidelines.

Job analysis as a management technique was developed around 1900. It became one of the tools by which managers understood and directed organizations. Frederick W. Taylor, through his interest in improving the efficiency of work, made studying the job one of his principles of scientific management. From his ideas emerged time and motion study of jobs. Early organization theorists were interested in how jobs fit into organizations; they focused on the purpose of the job. But this early interest in job analysis disappeared as the human relations movement focused on other issues. It was not until the 1960s that psychologists and other behavioral scientists rediscovered jobs as a focus of study in organizations.

The organization with the greatest long-term interest in job analysis has been the United States Department of Labor (DOL). The United States Employment Service (USES) of the DOL's Training and Employment Administration has developed job analysis procedures and instruments over many years. These procedures probably represent the strongest single influence on job analysis practice in the United States. The DOL's Guide for Analyzing Jobs and Handbook for Analyzing Jobs show the development of job analysis procedures over almost 50 years. . Likewise, in compensation, the Equal Pay Act requires jobs that are substantially similar to be paid the same. The determination that two jobs are substantially similar is made through job analysis.

Job analysis is a systematic study of jobs to determine what activities and responsibilities are included, their relationships with other jobs, the personal qualifications necessary for performance of the jobs, and the conditions under which work is performed. The purpose of job analysis is to establish and document the 'job relatedness' of employment procedures such as

training, selection, compensation, and performance appraisal. Job analysis investigates the frequency and importance of duties, the percentage of time that employees spend completing duties, whether a duty constitutes a fundamental part of the job, and the extent to which duties can readily be assigned to other employees.

REVIEW OF LITERATURE

Heneman and Schwab (1972) they point out, the studies offer general support for the model. In addition to the nine studies cited by Heneman and Schwab, at least nine other studies have attempted to test the validity of the expectancy theory approach, and they also provide data which are basically supportive of expectancy type models. The studies designed to test expectancy theory have consistently found that expectancy type attitude measures are significantly correlated with measures of job performance.

LaMer and Porter (1967) added the concept of role perceptions, defined as "the kinds of activities and behavior the individual feels he should engage in to perform his job successfully".

Ghiselli (1966) the results provide little support for the argument that a multiplicative combination of ability, role perceptions, and expectancy beliefs is the best predictor of job performance. The results do show that some combination of these factors can significantly predict performance. The relatively low correlation of the ability measure with performance makes it difficult to reach any strong conclusion about, how it combines with role perceptions and motivation to determine performance. It was hoped that the measure of intellectual ability that was used would correlate significantly with performance. Unfortunately, it, like many other intellectual ability measures, does not seem to be a good predictor of performance in sales type jobs.

Shippmann (2000) the authors concluded that: "in an era of unprecedented change in business and the way work is structured, when organizational leaders eagerly seek useful information they can use to drive decision making, it is fascinating that a useful tool like job analysis is widely viewed as mundane technical activity, perhaps it is time we updated our thinking of job analysis ... specifically, the field of job analysis might benefit from paying a closer attention to the strategic and future-oriented needs of organizations. It is reasonable to conclude that decisions

about the strategy and direction of an organization will have downstream implications for work roles and worker requirements yet, there is virtually no research and very little description of practice”.

Stewart and Carson (1997) state that the move from a manufacturing to service society may be one reason attributing to such a response. With an increase in service work, employees are taking on a wide range of roles and responsibilities, thus are constantly going beyond what is stated in their job descriptions. In addition, compared manufacturing work, jobs done in the service sector are difficult to examine objectively making traditional job analyses even harder to conduct.

Parbudyal Singh state that job analysis has always been, and will continue to be in the foreseeable future, a valuable informational tool in human resource management. Strategic job analysis, as proposed in this paper, is a necessary step in the evolution of traditional job analysis so that it can meaningfully tackle the emerging needs of contemporary organizations. Based on evidence presented in this paper, it is clear that organizations need to allow for considerable flexibility in their job analysis to accommodate for rapid changes in today's workplace. As a result, job analysis should incorporate general and broad traits instead of specific skills and behaviors. In addition, a job analysis that is strategic in focus is also proactive in that organizations are always monitoring and updating themselves to allow for such changes in the environment

OBJECTIVES OF THE STUDY

- To define the concept of job analysis.
- To describe the Behavior aspects of job analysis.
- To describe the legal aspects of job analysis.
- To define the major advantages of job analysis.
- To reveals the Impacts of behavioral factors on job analysis
- To revealed the Job analysis Law

BEHAVIOURAL ASPECTS OF JOB ANALYSIS

This job analysis should show the work behavior required for successful performance of the job, or the groups of jobs being studied, the critical or important work behavior in the job or group of jobs being studied, and an identification of the construct believed to underlie successful performance of these critical or important work behaviors in the job or jobs in question. If a group of jobs is being studied the jobs should have in common one or more critical or important work behaviors at a comparable level of complexity.

A detailed examination of jobs can be a demanding and threatening experience for both managers and employees, because job analysis can identify the difference between what currently is being performed in a job and what should be done. The manager also met with the employee to discuss what it meant to be a supervisor and what duties should receive more emphasis.

- **Job Inflation:-**

Employees and managers also have some tendency to inflate the importance and significance of their jobs. Because job analysis information is used for compensation purposes, both managers and employees hope that “puffing up” their jobs will result in higher pay levels. Titles of jobs often get inflated also, and some HR specialists believe that it is becoming worse. Some firms give fancy titles in place of pay raises, while others do it to keep well-paid employees from leaving for “status” reasons. Some industries, such as banking and entertainment, are known for having more title inflation than others. For instance, banking and financial institutions use officer designations to enhance status. In one small Midwestern bank, an employee who had three years’ experience as a teller was “promoted” with no pay increase to Second Vice-President and Senior Customer Service Coordinator. She basically became the lead teller when her supervisor was out of the bank and now could sign a few customer account forms.

- **Managerial Straitjacket:-**

The job description is supposed to capture the nature of a job. However, if it fails if some portions of the job are mistakenly left out of the description, some employees may use that to limit managerial flexibility. The resulting attitude, “It’s not in my job description,” puts a

straitjacket on a manager. In some organizations with unionized workforces, very restrictive job descriptions exist. Because of such difficulties, the final statement in many job descriptions is a miscellaneous clause, which consists of a phrase similar to “Performs other duties as needed upon request by immediate supervisor.” This statement covers unusual situation that may occur in an employee’s job. However, duties covered by this phrase cannot be considered essential functions under the Americans with Disabilities Act (ADA). Also, it may be important to develop flexible work role definitions, particularly in manufacturing operations.

- **Current incumbent emphasis:-**

It is important that a job analysis and the resulting job description and job specifications should not describe just what the person currently doing the job does and what his or her qualifications are. The person may have unique capabilities and the ability to expand the scope of the job to assume more responsibilities. The company would have difficulty finding someone exactly like that individual if he or she left. Consequently, it is useful to focus on the core jobs and necessary KSAs by determining what the jobs would be if the current incumbents quit or were no longer available to do the jobs.

- **Employee Anxieties:**

Employees may have concerns the purposes of a detailed investigation of their job. Management should explain why the job analysis is being done, because some employees may be concerned that someone must feel they have done something wrong if such a detailed look is being taken. The attitude behind such a fear might be, “As long as no one knows precisely what I am supposed to be doing, I am safe.” Also, some employees may fear that an analysis of their jobs will put a “straitjacket” on them, limiting their creativity and flexibility by formalizing their duties. However, it does not necessarily follow that analyzing a job will limit job scope or depth. In fact, having a well written, well-communicated job description can assist employees by clarifying what their roles are and what is expected of them. Perhaps the most effective way to handle anxieties is to involve the employees in the revision process.

Impacts of Behavioral Factors on Job Analysis

While carrying out the analysis, manager must take note of certain strong behavioral response from the employees. Employees may not always like the idea of someone taking a hard look at their jobs. Let's examine the reasons behind such negative response more closely.

1. Exaggerate the facts:-

Employees and manager may exaggerate the importance and significance of their jobs during interviews. Because job analysis information is used for compensation purposes, both managers and employees hope that 'puffing up' their job will result in higher pay levels.

2. Employees anxieties:-

Most employees fear that job analysis efforts may put them in a "Straitjacket" curbing their initiative and latitude to perform. Another reason for the negative attitude is the feeling that "as long as someone does not know precisely what I am supposed to be doing, than I am safe". A searching examination of jobs may uncover employees' faults which might have escaped the employer's attention so far.

3. Resistance to change:-

When jobs change in tune with changes in technology, there is an urgent need to revise job descriptions and job specifications to make them more meaningful. This would have a significant impact on the safe and secure job worlds in which employees used to live comfortably. Employees resist such change because when jobs are redefined, they may have to handle difficult tasks and shoulder painful responsibilities. To ward off such threats, managers must involve employees in the revision process; clearly stating the reason for the latest change.

4. Overemphasis on current efforts:-

Job analysis efforts should not place heavy emphasis on what the employees are currently doing. Some employees may be gifted with unique capabilities and given a chance they may expand the scope of the job and assume more responsibilities. The company may have difficulty in finding

someone like that person if he or she were to leave the company. Therefore, “the job description and job specification should be merely a description of what the person currently filling the job does”.

5. Management ‘Straitjacket’:-

Job analysis efforts may put managers in a ‘Straitjacket’, limiting their freedom to adapt to changing needs from time to time. To avoid this, they may even refuse to appropriately describe what an employee is supposed to do in the company creating, of course, further confusion in the minds of employees.

LEGAL ISSUES IN JOB ANALYSIS

- Analysis of the job should be in writing
- Job analysis must be performed and must be for the job for which selection measure is to be utilized
- Tasks, duties, and activities should be included in the analysis
- Job data should be collected from a variety of sources and by knowledgeable job analysts
- Most important tasks should be represented in the selection device
- Competency levels of job performance for entry-level jobs should be specified
- The possibility of bias should be considered both in selection of the criterion measures and their application
- All criterion measures and the methods for gathering data need to be examined for freedom from factors which would unfairly alter scores of members of any group.
- The samples for each group should be comparable in terms of the actual job they perform, length of time on the job where time on the job is likely to affect performance, and other relevant factors.

JOB ANALYSIS AND THE LAW,,

- Fair Labor Standards Act – employees categorized as exempt or nonexempt ☐

- Equal Pay Act – similar pay must be provided if jobs are not substantially different as shown in job descriptions ☒
- Civil Rights Act – basis for adequate defenses against unfair discriminations charges in selection, promotion, and other areas of HR administration
- ☒Occupational Safety and Health Act – specify job elements that endanger health or are considered unsatisfactory or distasteful by most people
- ☒Americans with Disabilities Act – make reasonable accommodations for disabled worker.

ADVANTAGE OF JOB ANALYSIS

- Provides First Hand Job-Related Information: The job analysis process provides with valuable job-related data that helps managers and job analyst the duties and responsibilities of a particular job, risks and hazards involved in it, skills and abilities required to perform the job and other related info.
- Helps in Creating Right Job-Employee Fit: This is one of the most crucial management activities. Filling the right person in a right job vacancy is a test of skills, understanding and competencies of HR managers. Job Analysis helps them understand what type of employee will be suitable to deliver a specific job successfully.
- Helps in Establishing Effective Hiring Practices: Who is to be filled where and when? Who to target and how for a specific job opening? Job analysis process gives answers to all these questions and helps managers in creating, establishing and maintaining effective hiring practices.
- Guides through Performance Evaluation and Appraisal Processes: Job Analysis helps managers evaluating the performance of employees by comparing the standard or desired output with delivered or actual output. On these bases, they appraise their performances. The process helps in deciding whom to promote and when. It also guides managers in understanding the skill gaps so that right person can be fit at that particular place in order to get desired output.

- Helps in Analyzing Training & Development Needs: The process of job analysis gives answer to following questions:
 - Who to impart training
 - When to impart training
 - What should be the content of training
 - What should be the type of training: behavioral or technical
 - Who will conduct training
- Helps in Deciding Compensation Package for a Specific Job: A genuine and unbiased process of job analysis helps managers in determining the appropriate compensation package and benefits and allowances for a particular job. This is done on the basis of responsibilities and hazards involved in a job.

CONCLUSION

A job analysis should describe all important work behaviors, their relative importance, and their difficulty level. Job analysis are include an analysis of the important work behavior required for successful performance and their relative importance and, if the behavior results in work products, an analysis of the work products. Person Specifications can be drawn up from the information that is in the job analysis and in the job description. This information is used in order to describe who the ideal person for the vacancy is and what is required of them as an employee in that position. Any job analysis should focus on the work behavior and the tasks associated with them. If work behavior is not observable, the job analysis should identify and analyze those aspects of the behavior that can be observed and the observed work products. The work behavior selected for measurement should be critical work behavior or important work behavior constituting most of the job.

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