

# **Eligible List Banding: A Tool for Managers: Discussant's Comments**

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# Merit System

- **Valid**
  - Choose the best candidate
- **Fair**
  - Fair to both individuals and groups

# **Banding and Merit System**

- **Are bands new to the merit system?**
  - Rule of 3 is banding
- **Are bands consistent with merit system?**
  - Not if choice is on patronage/nepotism
- **Random choice is not merit**

# **Are We Throwing Away Data?**

- **Yes, we will throw away data.**
  - Especially with wide bands
- **Is it ok to throw away information?**
- **Difference between 90 and 100**
  - On average this is a big difference
- **Are there valid benefits of banding?**

# Psychometric View

- **How much information is thrown away?**
  - Compared to what?
  - What new, additional data is added?
- **How will you choose within a band?**
  - Random: not merit, not really unfair
  - Nepotism, Political Patronage
  - Arbitrary: Not ideal, not merit

# **Valid Choices w/in Bands**

- **Motivation/enthusiasm**
- **Oral Communication**
- **Sociability**
- **Creativity**
- **Other KSAPs not otherwise measured**
- **KSAPs measured already (that's OK)**

# What of Ethnicity?

- **Promotes fairness for groups**
- **Promotes diversity**
  - Useful for some jobs
- **Legality?**
  - 1991 CRA prohibits dual lists
  - EEOC/DOJ emphasize groups
  - These seem to be in conflict

# Suggestions from Panel

- **Controls to assess/stop patronage**
- **Lit. on banding, including textbook**
- **Banding not new: rule of 3**
- **There are good reasons for banding:**
  - measurement error, so use two measures of a KSAP
  - assess areas not yet assessed: organizational fit
- **1991 CRA ruled out dual lists**



# Suggestions from Panel

- **Fixed or sliding bands**
  - Large bands help diversity
- **Statistical vs. administrative bands**
- **Need good recruitment for diversity**
- **Need wide bands for diversity**
- **Sliding bands work better than fixed**

# Suggestions from Panel

- **Preference for minorities within bands**
  - May be challenged legally
  - Certain challenge vs. potential challenge
- **Banding is only one AA tool**

# Suggestions from Panel

- **Latest Q&A draft**
  - Decision w/in band is a selection decision
  - Certain challenge vs. potential challenge
- **Central HR is fatter target (as I see it)**
  - Higher probability of challenge

# Suggestions from Panel

- **Targeted selection of minorities?**
- **Redressing past discrimination**
- **Select validly within bands**
- **What level of preference is legal?**
  - Check with your legal counsel

# **Suggestions from Panel**

- **Teach agency managers about selection**
  - Help agency managers select validly
- **Stick with rule of 3 or 5**

# Columbus' Experience

- **Rule of 3** (i.e., 3 people)
  - Lists get clogged up after first certifications
- **Bands of 5 points abandoned early on**
- **Use Bands of 10 points**

# **Columbus' Experience**

- **Mandate: Replace rule of 3**
- **Public safety works differently**
- **Decentralized HR chooses from list**

# Columbus' Experience

- **Disposition Codes**
  - 8 codes: not interested, declined, etc
- **List Notations**
  - Contact name and date
- **Some checks on agency HR reports**
- **This is very good!**



# Columbus' Experience

- **Selection within bands and minorities**
  - Not just select minorities
  - Adverse impact in lower bands
  - Some applicants flunked by CS
- **List does not indicate minority status**
- **Appointments made from all 3 bands**
  - How does that work?

# State of Washington

- **Agency HR screens bands on job related KSAPs**

# **In Conclusion**

- **Use bands carefully**
- **Use controls to avoid abuse**
- **Preferences for minorities: check w/ legal**
- **Better to structure exam differently to reduce adverse impact**
- **Bands not a cure-all!**