
SIOP as Advocate: Developing a Platform for Action

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McDaniel, Kepes, and Banks (2011) suggest a broader and more proactive role for the Society of Industrial and Organizational Psychology (SIOP) in the development of federal regulations, employment laws, and court decisions. The focal article cites SIOP's mission and portions of the committee structure as evidence that SIOP's influence in these arenas should be stronger. In this commentary, we describe more specific mechanisms for broadening the influence of industrial and organizational (I–O) psychology in these arenas. Further, we outline the context for SIOP's actions and detail some of the current activities of the Society related to the role of science in employment regulation.

As current and former members of SIOP's Executive Board,¹ and as practitioners who regularly work with the *Uniform Guidelines on Employee Selection Procedures* (Equal Employment Opportunity Commission, Civil Service Commission, Department of Labor, & Department of Justice,

1978) and are aware of their imperfections, our perspective is focused on a current appraisal of how SIOP can affect these regulations. Although it is true that SIOP's mission and committee structure should allow for issue advocacy, there are now more specific mechanisms in place to do so than the committees mentioned in the focal article.

Creating a Platform for Influence

Assuming the question of what specific direction SIOP should advocate in any given situation is clear (a question we will examine in a later section for the *Uniform Guidelines*), the approach for influence should be considered in light of SIOP's evolving governance and committee structure. As an organization fueled primarily by members in frequently rotating volunteer positions, the definition of a consistent and effective approach to advocacy and influence has been a challenge that has received recent attention. Furthermore, SIOP's influence, regardless of the objective for advocacy activities, will be limited by our size and our resources. By aligning with larger organizations with common objectives, SIOP's impact can be magnified.

As a result of strategic planning sessions held in 2005 and 2006, SIOP adopted its current vision statement, developed corresponding strategic goals, and began to

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reorganize toward its current governance structure. A primary goal under the revised structure is for SIOp to be an “advocate and champion of I–O psychology to policymakers,” and a task force was created to determine how to best operationalize the objective.

The Task Force on Advocacy (initiated in 2009) recommended that SIOp form a new committee that would be responsible for (a) clarifying advocacy goals across the spectrum of SIOp concerns, (b) coordinating continuous attention to those goals through the work of SIOp committees and outside organizations, and (c) facilitating and monitoring progress toward those goals. The committee would not be responsible for setting the advocacy agenda; however, they may provide input as the Executive Board establishes and adjusts these priorities. The External Relations Committee (ERC) was approved by the Executive Board in January 2010.

To a large extent, the committee will ensure that advocacy goals are accomplished by working through other SIOp committees (e.g., Scientific Affairs, State Affairs, and Professional Practice) and through other organizations, such as the American Psychological Association (APA), American Psychological Society (APS), the Foundation for the Advancement of Behavioral and Brain Sciences (FABBS), the Society for Human Resource Management (SHRM), the Association of Test Publishers (ATP), and others. In its first year (2010), the primary activity of the ERC was to establish lines of communication to identify and support mutual advocacy goals with a variety of these organizations. These activities have revealed that there is considerable interest in working with SIOp on matters of mutual interest.

Affecting changes in legislation and regulation can be a lengthy and expensive process. With the exception of a small administrative staff, SIOp’s resources and governance relies on member volunteers who hold roles of short duration (typically 2 or 3 years); most of these roles are dedicated to the regular and recurring functions of the

Society, such as organizing conferences and workshops, producing a range of publications, and administrating the details of a membership-driven organization.

Context for Advocacy

As SIOp’s structure evolves to allow for a broader public advocacy role, the question of what to advocate for becomes critical. There are many issues deserving of the Society’s attention. Current topics include increasing funding for behavioral research, advocacy of psychology as a STEM (science, technology, engineering, and mathematics) discipline, and promoting the role of I–O psychology within university psychology departments.

Promotion of revisions to the *Uniform Guidelines* is a complex candidate for SIOp’s limited advocacy attention. The issues associated with revising federal regulations in this area extend beyond expanding the role for our science. The issues involve a mix of scientific understanding, social values, public policy, and regulatory procedure. Therefore, opinions span a wide range within SIOp’s membership regarding the appropriate action and influence paths; evidence of the diversity of these views was evident at a recent panel discussion on the topic (McDaniel, 2011).

Reasonable levels of consensus should be built as a step toward SIOp’s influence. Although it is easy to find agreement that the 30+-year-old *Uniform Guidelines* are out of date, fail to incorporate advancements in the field, and should be considered for revision, it is far less clear what should replace them. Alternative language that is perceived by some as a license to discriminate will not be successful. Further, the *Uniform Guidelines* serves as guidance to employers who implement selection processes and also as the basis for enforcement to be used by the agencies charged with this responsibility. A viable revision would likely need to balance these competing interests. When the *Uniform Guidelines* are revised, the process will involve many stakeholders working toward a solution that must blend policy

and regulatory procedure, social values, and reliable scientific findings. SIOP should play a strong role in the process as an advocate for our science and guardian of our practice; however, to be successful, SIOP will need to develop a stronger consensus regarding exactly how the *Uniform Guidelines* should change.

Another barrier to advocacy on the part of SIOP relates to the perception that the tax status of the Society may preclude some advocacy activities. A brief review of the issue found that SIOP has few legal limitations in this area, but attempts to influence legislation and regulations may have tax consequences for SIOP and its members, thereby increasing both cost and operational complexity should SIOP embark on significant efforts in this arena.

SIOP is incorporated as a 501(c)(6) organization under the U.S. Internal Revenue Code, a designation indicating tax exemption as a business league (D. Nerishi, personal communication, May 17, 2011). In general, nonprofit organizations tend to be misperceived as prohibited from lobbying activities (Berry, 2004). In fact, as a 501(c)(6), SIOP may devote resources to lobbying efforts. However, doing so then has tax implications for the portion of SIOP's resources expended on lobbying activities; this portion must be excluded from exemptions of member dues or the organization must pay a proxy tax (Reilly & Allen, 2003). In addition to the tax consequences, increased advocacy efforts may also require the addition of paid staff, a proposal under recent consideration. Under SIOP's current budget structure, this activity would require an increase in dues or a substantial reduction in other programs.

Finally, SIOP is only in the early stages of developing an organizational capability for advocacy. SIOP's role in shaping federal regulations such as the *Uniform Guidelines* will likely shift as the Society develops stronger and more permanent mechanisms for promoting our views on issues of importance to our members. Despite our nascent advocacy capabilities, SIOP has been far

from silent on such matters, as described further in the next section.

Recent Efforts by SIOP

The focal article describes SIOP as "inactive" on issues related to federal employment regulation. We disagree with this characterization of the Society's efforts. A brief review of SIOP's initiatives related to the practice of personnel selection supports a different perspective.

SIOP has consistently been involved with the development of professional guidance related to the use of tests in the workplace. The *Uniform Guidelines* incorporates through reference the *Standards for Educational and Psychological Testing* (American Educational Research Association, American Psychological Association, & National Council on Measurement in Education, 1999), and revisions of the *Standards* have routinely involved SIOP members. One such effort is currently underway with SIOP's support. A revision of the *Standards* will then likely trigger a revision of SIOP's (2003) *Principles for the Validation and Use of Personnel Selection Procedures*, again requiring the assembly of testing, measurement, and selection experts from the membership. Another effort is currently underway by the International Organization for Standardization (ISO) to develop a standard that addresses psychological assessment services; this document will also have strong implications for the global practice of I-O psychology and thus the effort is being supported by SIOP through both volunteer participation and funding. Because these sources of guidance are far more current and responsive to science than the *Uniform Guidelines*, they may have a greater impact on SIOP's membership and thus deserve more immediate attention and resources.

Regarding the *Uniform Guidelines* in particular, an opportunity to influence the *Guidelines* arose in 2004 when several agencies of the federal government prepared additional questions and answers to

the *Guidelines* for the purpose of clarifying the treatment of Internet applicants. At the time, SIOPI empaneled an ad hoc committee to review and respond to the proposed additions (Reynolds, 2004).² Also in 2004, the Office of Federal Contract Compliance Programs (OFCCP) issued a new rule regarding record keeping for Internet job applicants, a critical aspect of the calculation of adverse impact in these contexts. Here again, SIOPI provided an expert panel for review and commentary on the proposed and final rules (Reynolds, 2006).

Most recently, concurrent with development of the focal article, SIOPI had the opportunity to prepare a letter to several federal agencies requesting revision of *Uniform Guidelines*. Responding to a directive from the Obama Administration that was issued in January 2011, federal agencies each published requests for input on regulations that should be reviewed and revised. SIOPI appointed a team to draft a statement representing the *Uniform Guidelines* as out of date with current professional standards and advancements in our field; the statement also requested involvement by SIOPI members in the revision process and extended the offer to empanel a team of experts to assist. The letter was reviewed by the Executive Board, signed by SIOPI's president, and sent to the EEOC, Department of Labor, and Department of Justice. Details regarding this communication are described in Reynolds and Dunleavy (2011).

What Else Could SIOPI Do?

SIOPI's advocacy work is likely to expand as the organization grows and the new governance structure takes hold. The question of whether direct lobbying and persistent advocacy should become part of the Society's regular operations will continue to surface within the Executive Board; the pace of these advancements will be dependent

on member enthusiasm for specific issues and the availability of labor and financial resources. The specific issue of the revision of the *Guidelines* will also be dependent on the government's willingness to take up the topic.

Other steps could be taken to hasten the pace of change in the *Uniform Guidelines*. SIOPI, as a volunteer-driven organization, moves forward through the dedicated efforts of members who propose and execute projects that have been approved by the Board. Projects that align with the Society's goals and require few resources are most likely to be approved. We offer three suggestions for projects that could advance the issue:

1. Prepare a compilation of validation best practices. Beyond the guidance provided by the *Principles*, such a compilation might include specific suggestions for issues such as the best approaches for determining sample-size requirements in local studies, reasonable expectations for the magnitude of validity coefficients under various conditions, and procedures for justifying a test based on generalizations from other studies. Of course, consensus on specific recommendations for these issues will be quite difficult to achieve, but if successful, the outcome may prove useful when prosecuting or defending enforcement challenges based on the *Uniform Guidelines*. The current *Guidelines* provide no such direction.
2. Create a network of experts dedicated to tracking challenges and litigation related to the *Uniform Guidelines*. The *Guidelines* are used by enforcement agencies to bring challenges against selection processes. A network of experts who work in this area could track opportunities to raise objections to attacks that are based on the *Uniform Guidelines* and could also share arguments that have proven effective in such negotiations. Of course, SIOPI includes members that

2. As a testament to the grinding pace of change in this arena, it should be noted that draft addition, the *Uniform Guidelines Q and A*, has never been officially adopted.

work on both sides of these issues, so developing a collaborative common ground may bring challenges.

3. Develop a model revision to the *Uniform Guidelines*. This common influence tactic involves preparing the exact wording for a revised piece of legislation in a manner that emphasizes specific interests as well as those of the stakeholder groups who can best influence its adoption. If a document of this nature were developed and endorsed by SIOP and other groups, it may then provide a basis for influencing the official revision. (On a practical note, if readers have a desire to pursue this suggestion, you would be best positioned to succeed after the current versions of the *Standards* and *Principles* are revised.)

Conclusion

McDaniel et al. called for action on the part of SIOP to influence federal employment regulations. We agree; SIOP should be involved with the process to revise the *Uniform Guidelines*. In fact, SIOP's structure allows for this influence to a greater degree than in the past and steps have already been taken by SIOP to formally suggest a revision to the guidelines and to request involvement in the process. However, forward motion on this topic will likely be a lengthy and complex process, with obstacles relating to consensus building, influence strategy, and resourcing of the effort. Important related activities (e.g., revising the *Standards* and *Principles*) will also require attention from SIOP's volunteer members and officers; these critical activities of the

Society should not be deferred or diluted in favor of the worthy but more distal goal of a *Uniform Guidelines* revision.

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