

COMMENTARY

Personality and the ADA: Ameliorating fairness concerns and maintaining utility

Manuel F. Gonzalez^{1,2*}, John F. Capman^{2*}, Nicholas R. Martin², Tara McClure Johnson², Evan R. Theys², and Anthony S. Boyce²

¹Baruch College & The Graduate Center, CUNY and ²Aon Assessment Solutions

*Corresponding authors. Emails: manuel.gonzalez@baruch.cuny.edu; john.capman@aon.com

We strongly agree with the argument presented in the focal article (Melson-Silimon, Harris, Shoenfelt, Miller, & Carter, 2019) that great care should be taken to adhere to the Americans with Disabilities Act's (1990) regulations when deploying personality assessments in pre-hire contexts. However, we strongly believe that occupational personality assessments do not infringe upon the ADA, so long as they are well-developed and implemented properly. The focal authors provide some sound recommendations to this end, and we will address several additional practical hurdles that ensure the job-relatedness and ADA compliance of personality assessments. These practical hurdles must be addressed at each critical stage of the traditional test implementation process: (a) test development (b) job analysis (c) test deployment, and (d) decision making.

Before addressing these practical hurdles, we must first clarify what is meant by “personality assessment.” We believe that much of the focal article was aimed at personality inventories (e.g., MMPI, NEO-FFI), but a distinction must be made between the assessment methodology (i.e., questionnaires or inventories) and the construct(s) being assessed (i.e., personality traits; Arthur & Villado, 2008). Industrial and organizational (I-O) psychologists can measure personality in several ways, either directly or indirectly, such as through interviews, assessment centers, and more. Any departure from using personality inventories does not necessarily mean a departure from measuring personality traits. In fact, it is our belief that organizations should continue to use personality inventories in their pre-employment processes, rather than other, more bias-prone methodologies (e.g., the qualitative ratings currently at issue in *Students for Fair Admissions v. Harvard*, 2015). Furthermore, by distinguishing between assessment methods and assessment constructs, I-O psychologists should be able to better refine personality assessment at the methodological and theoretical levels, respectively.

In what follows, we outline a strategy that supports the continued valid, legally defensible, and fair use of personality assessments. Specifically, we will discuss the benefits of using more refined approaches for measuring personality traits, highlight the need to employ more robust job analytic and predictive validation strategies, the advantages of using compensatory selection models, and a call for organizations and practitioners to develop proactive steps for individuals with psychological disorders (PDs) to safely disclose and request reasonable accommodations during the selection process. Collectively, we anticipate these steps will aid researchers and practitioners in making more informed decisions about using personality to predict performance while simultaneously protecting those with PDs (and other groups) against adverse impact.

Test development: Using narrow constructs to reduce overlap with PDs

Although our field has undoubtedly benefited from the use of personality assessments, its utility (i.e., prediction and ensuring fairness) as a selection measure can only advance by focusing on more refined facets of personality and job performance. Much of the extant research on pre-employment personality testing has focused on the Big Five personality dimensions of the five-factor model (FFM), which was the central aim of the discussion provided by the focal authors. Relatively less attention has been given to narrower facets within the FFM (e.g., dependability and achievement orientation, rather than conscientiousness) and those that fall outside of the FFM, such as goal orientations as well as motives (for a fuller discussion, see Hough, Oswald, & Ock, 2015).

One major advantage to using narrow personality facets is reducing conceptual overlap between the assessed traits and PDs. Broad traits are multidimensional, and although some aspects of a given trait may be job related, other aspects of the same trait may not be relevant to the job. As such, it can become problematic when job-irrelevant aspects of a broad trait are correlated with psychological disorders, in which case bias against individuals with PDs could result from construct contamination. Indeed, Samuel and Widiger (2008) found meta-analytic evidence that narrower personality facets can have different (and sometimes weaker) relationships with PDs than the broader personality trait that subsumes them. A second advantage of using narrow traits is that their conceptual specificity allows for test users to more clearly articulate why the selected traits should be linked to work-related behaviors (i.e., there is a smaller inferential leap from trait to behavior), thus making narrow traits more job-related and essential than broad personality traits (Jenkins & Griffith, 2004). However, given that there is still evidence for links between PDs and some narrow personality facets—albeit typically weaker links than with broader traits—test developers and users should carefully select traits that minimize overlap with PDs and that have the clearest links to essential work behaviors.

The foundation of I-O psychology: Job analysis

With a greater focus on narrower personality facets, it is imperative that researchers and practitioners document the relationship between specific personality facets and job performance. As is often the case, a thorough job analysis is the central means through which I-O researchers and practitioners can accumulate the necessary evidence to link (a) facets of personality to job performance (b) personality facets to essential work behaviors, and (c) essential work behaviors to job performance (Brannick, Cadle, & Levine, 2012). Up to this point, I-O psychologists have primarily substantiated the use and utility of personality by accumulating evidence for the first link. The second and the third links are most often inferred rather than directly estimated. We propose that researchers and practitioners should more heavily focus on developing evidence for these mediating links (i.e., specifically, Link 2).

Job analysis survey content will play a critical role in identifying and exploring the mediating links described above. Survey content should cover the full array of critical tasks and necessary knowledge, skills, abilities, or other characteristics (KSAOs) for the job. Content should also be informed by a theoretical model of job performance that allows researchers and practitioners to tie critical elements of the job to specific predictor constructs, such as narrow personality facets (Sackett, Putka, & McCloy, 2012). Doing so will provide more defensible support for the use of personality facets by clarifying which facets of personality contribute to associated facets of relevant job performance (i.e., improve legal defensibility) while also providing clarity about the approaches for mitigating adverse impact against those with PDs.

Determining core elements of job performance

There has been a long-standing concern in our field to work toward a clearer understanding of the criteria we rely upon in our research and practice. Calls by numerous I-O psychologists repeatedly

highlight that it is incumbent on the I-O community to carefully consider the centrality and robustness of the performance constructs measured, its connection to overall job performance, and the link between KSAOs and specific job performance facets (Brannick et al., 2012). The positive impact of this approach to the science and practice of I-O psychology is self-evident. The call to leverage job analytic information to enumerate the specific facets of job performance that underlie the ultimate criterion is especially important if we are to substantiate and use personality measures in selection (and promotion) settings. A primary benefit of this approach is that it maximizes the legal defensibility of personality, given it offers a clearer mapping of the distinct relationship between specific facets of personality and facets of work behavior (i.e., job performance). That is, the approach will provide clearer evidence for the job relatedness of the predictor (Schneider, Hough, & Dunnette, 1996), as targeted criteria that are mapped to specific personality predictors will optimize prediction and provide stronger empirical evidence for validity.

Implications for criterion-related validity: Strength through specificity

It is critical for organizations not only to establish a theoretical link between their assessments and job performance but also to document an empirical link between the two, such as through a criterion-related validation study. As we alluded earlier, we believe that the measurement of narrow personality facets and specific job-related behaviors does not come at the expense of criterion-related validity. On the contrary, we argue that doing so can potentially strengthen predictor–criterion alignment and improve the criterion-related validity of a selection system. Narrow facets share variance with their respective broad traits, but they also possess unique variance that may provide improved prediction of specific performance criteria relative to broad personality traits. Indeed, researchers have shown that narrow personality facets can predict job performance just as well as (and sometimes better than) the broad personality dimensions that subsume them (e.g., Jenkins & Griffith, 2004), partly due to stronger relationships between narrow facets and specific aspects of job performance (Tett, Steele, & Beauregard, 2003). These findings align with arguments from personality researchers regarding bandwidth fidelity (Schneider et al., 1996), in which measured personality traits should more strongly predict criteria of similar conceptual breadth (although see Ones & Viswesvaran, 1996, for a contrary perspective).

To summarize thus far, we believe that focusing on narrower personality facets and job behaviors allows for a more precise understanding of how personality relates to job performance while simultaneously creating weaker relationships between assessment scores and PDs.

Compensatory models: A means to mitigate disparate impact

The authors of the focal article proposed that when a personality assessment is deemed an appropriate measure, I-O psychologists should remain cognizant of and consider avoiding personality traits closely connected to PDs. Although this is an effective approach for mitigating disparate impact toward those with PDs and avoiding potential litigation, we suggest that there are additional approaches, very likely already employed by I-O psychologists using personality assessments, that might balance the desire to mitigate disparate impact and the desire to employ an assessment strategy that reliably predicts important aspects of job performance.

Specifically, personality assessment batteries typically include various personality dimensions. The multifaceted nature of personality assessment batteries lends itself to the application of compensatory modeling, whereby the potential negative impact of one personality dimension is dissipated when combined with other, non-PD related dimensions (in this case personality traits or other non-personality assessments). Given the multifaceted nature of work, a single PD may not necessarily impact all aspects of one's job performance. Thus, rather than minimize or exclude a given personality dimension, high scores on other non-PD related dimensions will likely

compensate for scores on dimensions that conceptually overlap with PDs. This approach is akin to that advocated for intelligence tests, which tend to disadvantage racial/ethnic minority applicants in selection contexts (Ployhart & Holtz, 2008). Thus, even if a measured personality trait is related to a PD, the overall assessment composite may not possess a strong relationship because it includes additional dimensions that are not related to that PD. We add as a precaution, however, that test users seeking to employ this compensatory approach ensure that multiple dimensions in the assessment battery do not have similar relationships with the same PD. For example, a compensatory model for a managerial role may cause disparate impact against those with PDs if the decision is based on low impulsiveness (a facet of neuroticism), high dutifulness (a facet of conscientiousness), and high trustworthiness (a facet of agreeableness), all of which are related to borderline personality disorder (Samuel & Widiger, 2008). In this instance, one may consider substituting alternative personality facets that map onto the same key job behaviors. However, it is also important to point out that it is possible that an individual with a constellation of personality traits similar to those found with borderline personality disorder may be unable to effectively perform a managerial role even in the presence of reasonable accommodations. In other words, the job relatedness of a selection system should not be lost in the process of mitigating adverse impact against individuals with PDs.

Being attuned to reasonable accommodation

Currently, the EEOC still distinguishes between normal and abnormal personality, despite evidence from the focal authors that this distinction is less clear than once thought. Thus, practitioners and organizations will be mindful but likely continue to utilize FFM personality dimensions that are potentially diagnostic of PDs (e.g., emotional stability, conscientiousness), given the preponderance of evidence demonstrating they are predictive of job performance (e.g., Barrick, Mount, & Judge, 2001). Although it is unclear whether the EEOC will adopt the personality conceptualization highlighted by the focal authors—which could potentially increase the likelihood of personality assessments qualifying as “medical examinations”—for now, it is critical that organizations implement personality assessments in ways that do not meet the EEOC’s “medical examination” criteria. However, organizations can implement additional safeguards to protect individuals with PDs during the selection process.

Given their likely continued use, we advocate that practitioners proactively familiarize themselves with the EEOC’s guidance on providing reasonable accommodation to persons with disabilities in general and for those with PDs, specifically. The EEOC allows for a discussion of reasonable accommodations at the application stage if a disability is obvious, self-disclosed, or if an accommodation request is made. Thus, applicants can request testing accommodations if they feel completing a standard test or assessment may unfairly disadvantage them or limit their ability to demonstrate their KSAOs. For example, an applicant may perceive an unfair disadvantage if they believe that some assessment items are designed in a way that unnecessarily reveal a PD. Alternatively, an applicant who is actively treating his or her PD with therapy or medication may perceive an unfair disadvantage if the PD were counted against him or her as a result of the content of the personality inventory.

We echo the suggestions of the EEOC that organizations communicate to candidates what the hiring process involves (e.g., interview, objective multiple-choice assessments), that various KSAOs should be measured throughout the assessment process and that candidates should apply for an ADA accommodation prior to completing the assessment process if they believe that they may be unfairly disadvantaged in the standard process due to their disability. In such cases, and depending on the exact circumstances, organizations may choose an appropriate accommodation strategy, such as waiving the assessment process altogether for the candidate, not scoring the personality traits aligned with PDs for individuals requesting accommodation, allowing the candidate

to opt out of completing certain items that they feel would reveal their PD or not scoring those items, or considering alternative administration methods and formats for the assessment.

Notably, we recognize that there is a stigma associated with having a PD (Ren, Paetzold, & Colella, 2008). Thus, we suggest that organizations proactively identify and develop application processes that allow candidates with PDs to discreetly request and receive accommodations in the testing process, specifically with respect to application stages where personality is assessed. Doing so will help provide a psychologically safe environment for individuals to request accommodations and minimize the risk of potential bias that PD stereotypes might introduce later in the application process (Ren et al., 2008). Finally, we are aligned with the recommendation that I-O psychologists develop a closer partnership with the EEOC. Specifically, it behooves I-Os to work in partnership with the EEOC to more clearly delineate what constitutes a reasonable accommodation and what constitutes undue hardship to organizations or assessment developers.

Summary

We have outlined several recommendations for organizations seeking to mitigate the risk of disparate impact against individuals with psychological disorders. Specifically, we recommend that organizations take the following steps:

- (1) Measure narrower personality traits that are job related (i.e., have a clearer link to workplace behavior), reduce potential contamination from irrelevant traits, and minimize conceptual overlap with PDs
- (2) Conduct a thorough job analysis—informed by a sound theoretical model of job performance—to identify critical behaviors and traits, and to develop clearer criteria by which to validate preemployment personality assessments against
- (3) Utilize compensatory decision-making strategies so that applicants can compensate for extreme scores on a trait that overlaps with a PD with scores on dimensions that are not related to the same PD
- (4) Proactively develop opportunities for reasonable accommodations during the testing process to reduce the risk of bias in the selection system

The above strategies are not intended as “panaceas” that will eradicate disparate impact against individuals with PDs, but we believe that each recommendation is a critical step toward the continued use of preemployment personality assessment inventories in a manner that is valid, legally defensible, and fair. Until I-O psychologists reach a unified solution in this area, it is critical for researchers and practitioners to better educate themselves on the links between personality and psychological disorders, design sound selection systems, and provide stronger guidance to clients about the proper use of personality inventories. Last, although this discussion centered on personality assessment inventories, it is paramount that critical analyses similarly be deployed to evaluate less structured, scientific, and objective parts of preemployment screening processes (e.g., application questions, resume reviews, reference checks, interviews) that often take place before or after well-developed personality assessments. It is in these areas where applicants with disabilities of all types are most likely subjected to unknown and discriminatory treatment.

References

- Americans with Disabilities Act of 1990.** Pub. L. No. 101-336, US Code § 12102, 104 Stat. 328 (1990).
- Arthur, W. J., & Villado, A. J. (2008). The importance of distinguishing between constructs and methods comparing predictors in personnel selection research and practice. *Journal of Applied Psychology*, *93*, 435–442.
- Barrick, M. R., Mount, M. K., & Judge, T. A. (2001). Personality and performance at the beginning of the new millennium: What do we know and where do we go next? *International Journal of Selection & Assessment*, *9*, 9–30.

- Brannick, M. T., Cadle, A., & Levine, E. L.** (2012). Job analysis for knowledge, skills, abilities, and other characteristics, predictor measures, and performance outcomes. In N. Schmitt (Ed.), *The Oxford handbook of personnel assessment and selection* (pp. 119–146). New York, NY: Oxford University Press.
- Hough, L. M., Oswald, F. L., & Ock, J.** (2015). Beyond the big five: New directions for personality research and practice in organizations. *Annual Review of Organizational Psychology and Organizational Behavior*, **2**, 183–209.
- Jenkins, M., & Griffith, R.** (2004). Using personality constructs to predict performance: Narrow or broad bandwidth. *Journal of Business Psychology*, **19**, 255–269.
- Melson-Silimon, A., Harris, A. M., Shoenfelt, E. L., Miller, J. D., & Carter, N.** (2019). Personality testing and the Americans With Disabilities Act: Cause for concern as normal and abnormal personality models are integrated. *Industrial and Organizational Psychology: Perspectives on Science and Practice*, **12**(2), 119–132.
- Ones, D. S., & Viswesvaran, C.** (1996). Bandwidth-fidelity dilemma in personality measurement for personnel selection. *Journal of Organizational Behavior*, **17**, 609–626.
- Ployhart, R., & Holtz, B. C.** (2008). The diversity-validity dilemma: Strategies for reducing racioethnic and sex subgroup differences and adverse impact in selection. *Personnel Psychology*, **61**, 153–172.
- Ren, L. R., Paetzold, R. L., & Colella, R.** (2008). A meta-analysis of experimental studies on the effects of disability on human resource judgments. *Human Resource Management Review*, **18**, 191–203.
- Sackett, P. R., Putka, D. J., & McCloy, R. A.** (2012). The concept of validity and the process of validation. In N. Schmitt (Ed.), *The Oxford handbook of personnel assessment and selection* (pp. 91–118). New York, NY: Oxford University Press.
- Samuel, D. B., & Widiger, T. A.** (2008). A meta-analytic review of the relationships between the five-factor model and DSM-IV-TR personality disorders: A facet level analysis. *Clinical Psychology Review*, **28**, 1326–1342.
- Schneider, R. J., Hough, L. M., & Dunnette, M. D.** (1996). Broad-sided by broad traits: How to sink science in five dimensions or less. *Journal of Organizational Behavior*, **17**, 639–655.
- Students for Fair Admissions v. President and Fellows of Harvard College, No. 15-1823** (1st Cir. December 9, 2015).
- Tett, R. P., Steele, J. R., & Beauregard, R. S.** (2003). Broad and narrow measures on both sides of the personality-job performance relationship. *Journal of Organizational Behavior*, **24**, 335–356.

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