



- Our mission is to create workplaces free from bias and unlawful discrimination by harnessing the synergies between human resource functions and promoting affirmative action and equal employment regulatory compliance –

**Appendix B Accompanying
Technical Advisory Committee Report on Best Practices
in Adverse Impact Analyses**

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Michael G. Aamodt, Ph.D., is a Principal Consultant at DCI Consulting Group. Prior to joining DCI full-time, he spent 26 years as a professor of Industrial and Organizational Psychology at Radford University. Dr. Aamodt has published over 50 articles in professional journals and presented over 100 papers at professional conferences. He is the author of several books including “Industrial/Organizational Psychology: An Applied Approach,” “Research in Law Enforcement Selection”, “Human Relations in Business,” and “Understanding Statistics: A Guide for I/O Psychologists and Human Resource Professionals.” He has extensive editorial experience, serving on the editorial boards of Applied HRM Research, Assessment Council News, Journal of Business and Psychology, Public Personnel Management, Criminal Justice and Behavior, and Journal of Police and Criminal Psychology. Dr. Aamodt is a member of many professional organizations including SIOP, SHRM, and IPAC. Dr. Aamodt received his Ph.D. from the University of Arkansas and his B.A. from Pepperdine University.

Nancy Abell is the Global Chair of the firm’s Employment Law Department, which spans from Shanghai to Frankfurt. A partner resident in the firm’s Los Angeles office, Ms. Abell is a trial lawyer who works exclusively in the representation of private and public employers in all aspects of employment law and litigation, including discrimination and wage-hour class actions; trials of statutory and common law claims; Office of Federal Contract Compliance Programs systemic cases and affirmative action compliance reviews; unfair labor practice charges and other proceedings before the NLRB; organizing campaigns; labor negotiations; arbitrations; and systemic charges and complaints before the EEOC, state anti-discrimination agencies, the Department of Labor and state wage/hour compliance agencies. She regularly presents training sessions for justices and judges. Ms. Abell is a Fellow of the College of Labor and Employment Lawyers and has been named in The Best Lawyers in America for more than 20 years. In 2009 she was recognized by Chambers USA as one of the top three employment defense lawyers in California, by The International Who’s Who of Business Lawyers as one of the top employment lawyers in the world, and by the Daily Journal as one of California’s

“Top 100” lawyers and Top 10 Employment Lawyers. She is also named as one of America’s Top 100 Employment Lawyers, one of America’s Top 500 Lawyers and Top 500 Litigators by Lawdragon.com, and one of California’s Top Women Litigators by the Daily Journal.

Nikki Alphonse has responsibilities for corporate-wide EEO/AA compliance for the five Northrop Grumman sectors and the corporate office. Prior to her current position, she provided EEO/AA services to various government contractors while employed by two nationally recognized labor and employment law firms. She began her career in HR with AlliedSignal Technical Services Corporation in 1994 and then with Northrop Grumman Corporation in 1996, after which she began specializing in EEO in 1999. A graduate of the University of North Florida with a bachelor's degree in criminal justice, she also obtained her master's degree in Human Resources Management from Webster University while working full-time. Ms. Alphonse has 15 years of HR experience and is a committee member of the Jacksonville Industry Liaison Group. Northrop Grumman Corporation is a global defense company headquartered in Los Angeles, Calif. with more than 120,000 employees and operations in all 50 states and 25 countries.

Pete Aponte is a Sr. Manager Diversity, Inclusion and Compliance for Abbott Laboratories. He is responsible for auditing, compliance and monitoring efforts with regard to Abbott’s AA regulatory requirements and the implementation and communication efforts for Diversity and inclusion. Other employers: IBM, Bank of America, Chase Manhattan Bank, and C&S/Sovran Bank. He has been in the HR field for over 25 years. He has a broad base HR professional experience. Pete is experienced as a HR Generalist and as a Regulatory Specialist for domestic and international markets. Pete has held leadership positions as, SVP EEO Compliance, Director EEO/AA Compliance, Deputy Director of Employee Relations, HR VP, International HR VP and an Employee Relations Consultant. He graduated from Pace University, NY with a BBA in Management/Law. He was born in Santurce, Puerto Rico and is fluent in Spanish, married with 4 daughters and 4 grandchildren.

Mary Dunn Baker, Ph.D., joined ERS Group in 1986 and is a Director who focuses on labor/employment issues. In addition to analyzing employment practices and wage/hour issues for litigation support and testifying as an expert witness in Federal courts and other judicial settings, she estimates the value of alleged economic losses and designs programs to monitor the outcomes of employment practices for public and private organizations. On numerous occasions, Dr. Baker has been invited by organizations such as The Florida Bar, the American Association for Affirmative Action and the DOL’s Office of Contract Compliance Programs (OFCCP) to present seminars on the uses of statistical analyses in employment discrimination cases and methods of estimating the value of economic losses. She frequently assists organizations in preparing for regulatory agency audits of employment and wage/hour issues and in responding to notices of violation and charges of discrimination. Prior to joining ERS Group, Dr. Baker served as a member of the economics faculty at Auburn University at Montgomery. She has also served as an adjunct professor at Florida State University.

H. Juanita (Nita) M. Beecher is Chair, Workplace Compliance and the Employment Law & Litigation Group (ELLG) for ORC Worldwide, a consulting firm. Her primary focus for thirty years has been labor and employment law with substantial experience with class investigations by EEOC and OFCCP. After joining ORC in 2000, Ms. Beecher became chair of the Employment Law & Litigation Group, a network comprising senior in-house labor and employment lawyers in 2003. In 2006, Ms. Beecher began leading the compliance aspect of ORC's Workforce Opportunity Network, a network of senior diversity, EEO and affirmative action corporate practitioners. In that role, Ms. Beecher works with OFCCP and the EEOC on matters of interest to WON and ELLG members. She started her career in the Law Department at E. I. du Pont de Nemours & Company and her experience includes positions at Consolidation Coal Company, Arch Mineral (now Arch Coal) and most recently McDonnell Douglas/The Boeing Company. Ms. Beecher is a graduate of the University of North Carolina School of Law and the University of North Carolina at Chapel Hill.

Vaida Bell is currently an EO Programs Manager within the IBM Corporation. In this capacity, she is responsible for ensuring Diversity, Equal Opportunity and Affirmative Action, which is an integral part of the company's personnel activity strategies and programs. Ms. Bell provides leadership and guidance to IBM managers and employees nationwide, and brings to this position more than 40+ years of experience that support equal opportunity strategies and compliance issues associated with affirmative action requirements within the corporation. Other responsibilities include managing Affirmation Action Program audits performed by the OFCCP, ensuring IBM's commitment to Equal Opportunity, Diversity and Affirmative Action are upheld.

Jim Bluemond is the Compliance Lead for Enterprise Talent Acquisition at Northrop Grumman Corporation. He consults internally in areas of OFCCP compliance, regulatory processes, policy interpretation and provides training and briefings to TA organizations enterprise wide. He has a Master's degree in Labor and Industrial Relations from Michigan State University, seventeen years in employment experience and author of "The Job Hunter's Word Finder" (Petersons, 1996), a nationally released resume writing book. Prior to joining Northrop Grumman, he ran his own consultancy focusing in areas of technical recruitment, staffing strategy and recruiter training for the financial, software, manufacturing and aerospace industries.

Harry Brull is Senior Vice-President, Public Sector Services at Personnel Decisions International (PDI), a position he has held since 1978. During his tenure he has designed selection and promotional processes for more than 2,000 public agencies, with candidate pools ranging in size from two to 25,000. He has designed several processes under federal consent decrees and served as an expert witness in state and federal courts. He is a licensed psychologist and has taught Industrial/Organizational Psychology at Macalester and St. Olaf Colleges and the Minnesota School of Professional Psychology.

Harold M. Busch is the Executive Director for The Center for Corporate Equality (CCE), a national nonprofit employer association based in Washington, D.C. dedicated to creating workplaces free from bias and unlawful discrimination. CCE's corporate members are represented in the organization by their senior corporate leaders from compliance, compensation, and staffing. Mr. Busch served as both Special Assistant to the Deputy Assistant Secretary for the OFCCP and as Deputy Director of the DPO. Before these assignments Mr. Busch served as the Director of Planning and Support for the Regional Office of OFCCP in New York and as the District Director of the New York District Office of the OFCCP. Mr. Busch was employed by the federal government for more than thirty years in the Equal Employment Opportunity (EEO) and affirmative action fields. Before coming to the Department of Labor, he worked for the Defense Department and the Department of the Army. Mr. Busch has been the recipient of numerous achievement awards and commendations since joining OFCCP and the government and was recently named in the National Register's Who's Who in Executives and Professionals for 2005-2006. Mr. Busch received his B.A. degree from Rutgers, the State University, of New Jersey. He received his Ed.M. degree from the Graduate School of Education, Rutgers, the State University.

Inderdeep Chatrath, Ph.D., is currently the director of the Equal Opportunity and Affirmative Action Programs for Duke University and Duke University Health System. In this role, she is responsible for designing studies, compiling, and reporting institutional data pursuant to federal regulations, and coordinating research and evaluation studies set forth to identify progress and trends in the areas of affirmative action and equal opportunity.. During her tenure at Duke, Dr. Chatrath has been responsible for institutional research functions, and managed programs for harassment prevention, diversity, and disability management. Dr. Chatrath has made presentations and offered professional development and statistical analyses courses for national organizations. She serves on numerous prominent University committees and leads several initiatives in the area of equity and federal compliance in the areas of civil rights legislation. Currently, Dr. Chatrath serves on the Board of Directors for the American Association for Affirmative Action (AAAA) and is a member of the AAAA Professional Development and Training Institute Committee.

David Cohen is President of DCI Consulting Group, Inc. He provides consulting services to employers and management law firms on a wide range of human resource risk management strategies, particularly in the areas of EEO/affirmative action program development, systemic compensation statistical analyses, comprehensive human resources self-audits, and employee selection and test validation. Mr. Cohen is currently spending much of his time consulting and training clients on the OFCCP's new systemic compensation discrimination standards and voluntary guidelines for self-evaluation, as well as the agency's new compliance requirements on Internet applicants. Recognized as a national EEO and affirmative action compliance expert, Mr. Cohen speaks frequently before corporate leaders from Fortune 500 companies, and at regional and national ILG conferences and OFCCP events. In 2006, he co-authored a book entitled "Understanding Statistics: A Guide for I/O Psychologists and Human Resource Professionals," which was published by Wadsworth. Mr. Cohen is also the Associate Editor of the Applied HRM Research.

Debra Cohen, Ph.D., SPHR, is the Chief Knowledge & Integration Officer for the Society for Human Resource Management (SHRM) and is responsible for the Society's Knowledge Development Division including the Knowledge Center, Library, Research, Academic Initiatives, HR Standards, and Education departments with oversight of the SHRM Foundation. Dr. Cohen joined SHRM in May, 2000 as the Director of Research. Her expertise is knowledge and content development. Previously, Dr. Cohen spent 15 years in academe teaching HRM at George Washington and George Mason Universities. She has published over 40 articles and book chapters and has been published in journals including Academy of Management Journal, Personnel Psychology, Human Resource Management, and the Journal of Management Education. Dr. Cohen received both her Ph.D. in Management and Human Resources and her Master's Degree in Labor and Human Resources from The Ohio State University. She received her Bachelor of Science in Communications from Ohio University.

Virginia G. Connors currently serves as Lead Counsel, Labor and Employment Law for FedEx Express in Memphis, TN. Ms. Connors has worked for FedEx Express in this specialty area for over 15 years. Prior to joining FedEx Express, Ms. Connors was an associate attorney at Ogletree, Deakins, Nash, Smoak and Stewart, representing employers in a variety of labor and employment matters.

David Copus is one of the nation's leading employment lawyers and is a nationally recognized expert in class and collective action litigation. The National Law Journal has named him as "among nation's best litigators in employment law." Mr. Copus has more than 35 years of litigation and counseling experience. He has defended employers in over 30 different U.S. District Courts and has argued cases in seven U.S. Courts of Appeal. He is a member of the American Bar Association's Sections on Litigation and Labor and Employment Law. He has written and lectured widely on the effective use of expert witnesses in class actions and on the standards for the admissibility of expert testimony. He graduated with honors from Northwestern University in 1963 and with honors from Harvard Law School in 1966. Following two years as a Peace Corps volunteer in India, he began his legal career in 1969 at the Equal Employment Opportunity Commission (EEOC), where for many years he headed the National Programs Division. In that capacity, he directed some of the largest class action investigations against employers and labor unions. He was also the lead attorney in the EEOC's largest nationwide class action lawsuit.

Dr. Donald Deere is a Senior Economist with Welch Consulting. His work has included statistical and economic analysis in cases involving claims of discrimination in employment, housing, and insurance, in cases involving wage and hour violations, and in cases involving economic damages/business losses. He also has conducted analyses of compensation and selection practices for internal and OFCCP audit purposes. Dr. Deere has provided testimony in both state and federal courts. Dr. Deere earned a Ph.D. in economics from the Massachusetts Institute of Technology. He retired from the Department of Economics at Texas A&M University, where he taught courses in labor economics, statistics, and public finance. Dr. Deere's research has concentrated primarily

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Dr. Tanya Delany leads Global Selection and Assessment at IBM. In this role, she manages a team of IO Psychologists globally through design and execution of competency/skill based assessments, cognitive ability item generation tool, on-demand validation (criterion-referenced) program, compliance tracking, and education and training for local execution teams. In addition to her work with assessment, Tanya leads a team of senior human resource professionals responsible for Equal Opportunities and Global Compliance. She has been with IBM for eleven years.

Aaron L. Dettling is a Partner in the Labor and Employment practice of Balch & Bingham LLP. Before entering private practice, Aaron served for two years in a judicial clerkship in the United States District Court for the Southern District of Alabama. Aaron advises and represents public and private employers on issues relating to employment practices. Aaron's areas of special expertise include disparate impact claims, The Uniform Guidelines on Employee Selection Procedures, and statistical and economic evidence of discrimination. Aaron is a graduate of Vanderbilt University (B.E., 1994) and Washington and Lee University (J.D., 1997). Aaron represented the Personnel Board of Jefferson County in its successful effort to develop and implement job-related selection procedures, culminating in the termination of nearly 30 years of federal court supervision. Aaron also represents the Alabama State Department of Education with regard to its teacher testing programs.

Cari M. Dominguez is a Corporate Director for Manpower, Inc. and the Calvert SAGE Fund, and former Chair of the U.S. Equal Employment Opportunity Commission (EEOC). As the chief executive officer of the five-member Commission, she led and directed all policy matters and operational aspects of an agency with a budget of \$325 million and fifty-three offices throughout the United States. She has also served in the U.S. Department of Labor in roles including Assistant Secretary of Labor for Employment Standards and Director of the Office of Federal Contract Compliance Programs. In the latter capacity, she launched and led the Labor Department's Glass Ceiling Initiative, designed to remove invisible barriers from the workplace. She holds B.A. and M.A. degrees from The American University's School of International Service, in Washington, D.C. Ms. Dominguez is also a Fellow of the Advanced Study Program in Public Management of the Massachusetts Institute of Technology. In 2003, she was conferred the honorary degree of Doctor of Humanitarian Service by Loma Linda University.

Dennis Doverspike, Ph.D., ABPP, is a Full Professor of Psychology at the University of Akron, Senior Fellow of the Institute for Life-Span Development and Gerontology, and Director of the Center for Organizational Research. He holds a Diplomate in Industrial-Organizational Psychology and in Organizational and Business Consulting from the American Board of Professional Psychology (ABPP) and is a licensed psychologist in the

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Eric M. Dunleavy, Ph.D., is a Senior Consultant at DCI Consulting Group, where he is involved in OFCCP audit and litigation support. His primary areas of expertise are selection procedure validation research and statistical methods related to adverse impact assessment. He also serves on staff with the Center for Corporate Equality, which is a national nonprofit research association based in Washington, DC, whose mission is to promote proactive affirmative action, equal employment regulatory compliance, and other human resource management strategies to create diverse organizations free from workplace bias. Eric received his doctorate in Industrial/Organizational Psychology with a concentration in data analysis from the University of Houston. He is the current Vice President, President Elect, and former legal chair of the Personnel Testing Council of Metropolitan Washington, D.C., and on the editorial board of *The Industrial-Organizational Psychologist* as co-author of the “On the Legal Front” column. He is also an adjunct faculty member of George Mason University.

Burton J. Fishman is an attorney with Fortney & Scott, LLC in Washington, DC. A graduate of Yale Law School, Mr. Fishman has devoted his practice to developing the “law of the workplace,” an interdisciplinary approach that offers employers counsel and representation on a broad range of matters growing out of government regulation of business. A former Deputy Solicitor of the US Department of Labor, his experience extends to the full spectrum of employment and labor matters, recently focusing on employer testing. A well-known speaker and writer, Mr. Fishman has written over 100 books and articles in the employment field, including the ADA: Ten Years After; HR Guide to Employee Management; The HR Question and Answer Book; Workplace Privacy; and Workplace Accommodations for Disability and Religion. Mr. Fishman is a Fellow of the College of Labor and Employment Lawyers and has been named a “Super Lawyer” in the field and labor and employment law.

Mr. David Fortney is a co-founder of Fortney & Scott, LLC. Mr. Fortney’s OFCCP practice includes representing and counseling federal contractors nationwide on complying with contractors’ nondiscrimination and affirmative action obligations enforced by OFCCP, advising and representing clients facing audits by OFCCP, including OFCCP’s corporate headquarters audits, compensation audits, audits of testing and selection tools, on-site audits, desk audits, audits of Functional Affirmative Action Programs, and audits performed to assess new federal contractors’ compliance amongst many other. Before co-founding the firm, Mr. Fortney previously served as the chief legal officer of the U.S. Department of Labor in Washington, D.C. during the first Bush administration. Mr. Fortney has been widely recognized for his professional accomplishments, including being named one of the leading employment lawyers in Washington, D.C. by the CHAMBERS USA survey of America’s Leading Lawyers for

Business in 2009, 2008, 2007, 2006, and 2005, and has been awarded an "AV" rating by Martindale-Hubbell.

John C. Fox, Esq., is the Founder of Fox, Wang & Morgan, LLC a Silicon Valley-based employment law firm representing companies nation-wide. Mr. Fox leads large and complex litigation matters in wage-hour and discrimination law class actions, in high-profile individual wrongful termination and trade secret cases, and in those employment cases involving the use of statistics. He also provides business and strategic advice for a wide range of companies nationwide relating to their employment practices and helps build employment systems in a way designed to minimize legal risk. Mr. Fox has extensive trial experience, having spent more than 300 days in trial. Mr. Fox practices primarily in the courts in California but tries cases nationwide. Mr. Fox was also previously Executive Assistant to the Director of the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, where he was responsible for all enforcement and policy matters.

Jon Geier represents employers in all aspects of labor and employment law, but specializes in advising federal contractors on their obligations under Executive Order 11246 and related statutes and regulations. He assists contractors in diverse industries in preparing, implementing and maintaining affirmative action plans and advising them with respect to compliance evaluations by the Department of Labor's Office of Federal Contract Compliance Programs. Mr. Geier was the lead outside counsel for The Boeing Company in negotiating its nationwide settlement with the OFCCP in 1999. He has extensive experience conducting privileged diagnostics of employment processes, and advising employers on remedial strategies including diversity/inclusion programs.

Dana Glenn-Dunleavy, Ph.D., joined the Association of American Medical Colleges (AAMC) in March 2008 as a Senior Measurement Research Analyst. As part of the MCAT research team, Dr. Dunleavy works on a variety of projects related to the psychometric properties of the Medical College Admission Test (MCAT) and its use in the selection of medical students in the United States and Canada. Prior to joining the AAMC, Dr. Dunleavy was an Assistant Professor of Industrial-Organizational Psychology at George Washington University. She is the author or co-author of journal articles, book chapters, and conference presentations that focus on survey nonresponse, employee attitudes, and defining and measuring performance. She received her Ph.D. in Industrial-Organizational Psychology from the University of Houston in 2005.

Irv Goldstein, Ph.D., is presently Senior Vice Chancellor for Academic Affairs for the University System of Maryland. Dr. Goldstein's research, as an industrial-organizational psychologist, has focused on how persons are selected and promoted, how they are trained by organizations and how the climate of the organization affects HR practices. In these roles, he has served as a consultant to both public and private Sector organizations. For the past five years, he has worked as one of two joint experts selected by the court to review Coca Cola's human resources practices including training, selection and staffing and recommending necessary changes consistent with best practices. He has recently been selected by the court to serve in the same role with Morgan Stanley Financial

Services. During his career, he received the Distinguished Service Award from the Society of Industrial and Organizational Psychology (SIOP) and the Swanson award for research Excellence from the American Society for Training and Development. Dr. Goldstein has also been honored by being elected to serve as President of SIOP and he has also served as associate editor of the Journal of Applied Psychology.

Arthur Gutman is professor of psychology and past chair of the I-O graduate program at Florida Tech. He received his Ph.D. from Syracuse University in 1975 and was a National Institute of Mental Health Postdoctoral Fellow from 1975 to 1977 at the University of Colorado, where he collaborated in research with David R. Thomas and Steven F. Maier. He was assistant professor of psychology at Georgia State University from 1977 to 1979 before moving to Florida Tech. His primary teaching interests include statistics and research design, personnel selection, personnel law, program evaluation, and learning and memory. He is author of *EEO Law and Personnel Practices* (Sage, 2000, 2nd Ed) and originator of “On The Legal Front”, a column on workplace discrimination that appears quarterly in the *Industrial-Organizational Psychologist*. He has developed employment tests for industry, consulted on at least a dozen adverse impact cases, and has served as an expert witness in federal court.

Paul J. Hanges is Professor of Industrial/Organizational Psychology and is currently the Associate Chair/Director of Graduate Studies for the Department of Psychology at the University of Maryland. He is an affiliate of the University of Maryland’s R. H. Smith School of Business and the Zicklin School of Business at Baruch College. He received his Ph.D. from the University of Akron in 1987. His research focuses on selection, diversity and organizational climate, cross-cultural leadership, and computational modeling. He has developed selection systems for private/public organizations and served as an expert witness. He has published over 70 articles, chapters, and books. Paul’s publications have recently appeared in such journals as *American Psychologist*, *Journal of Applied Psychology*, and *Journal of International Business Studies*. He is on the editorial board of the *Journal of Applied Psychology* and a fellow of the American Psychological Association, Association for Psychological Sciences, and the Society for Industrial/Organizational Psychology.

Lisa D. Grant Harpe, Ph.D., is an industrial psychologist and senior consultant for the Peopleclick Research Institute (Institute), Peopleclick Inc.’s affirmative action research and compliance consulting arm. In this role, Dr. Harpe assists companies in the evaluation of their employment practices as they relate to discrimination. This includes statistical and qualitative analysis of hiring, performance appraisal, compensation and promotion practices, as well as coordination with attorneys and employers involved in discrimination litigation or Office of Federal Contract Compliance Program (OFCCP) audits. She brings 10 years of expertise in industrial psychology and occupational analysis to the Institute. Dr. Harpe joined Peopleclick from PRI Associates, acquired by Peopleclick in September 2001. Prior to that, she was the first industrial psychologist for the North Carolina Highway Patrol. Dr. Harpe holds a bachelor’s degree in psychology

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Joan G. Haworth is a Director of ERS Group, a firm which provides research, analysis and expert testimony for government agencies, universities, corporations and private attorneys. For the past 30 years, Dr. Haworth's work focused on labor market issues, employment discrimination, and wage and hour cases for litigation and consulting. She has provided analyses for both plaintiffs and defendants in over 100 employment cases, including EEOC v. Sears, Roebuck & Co., Thomas v. Baker, III, Secretary, Department of State, Cooper v. The Southern Company, Rhodes v. Cracker Barrel, McReynolds v. Sodexo and Dukes v. Wal-Mart. She has presented her analyses before legislative and regulatory bodies as well as federal and state courts. Dr. Haworth frequently presents for groups such as the American Bar Association, the American Employment Law Council, and the Practicing Law Institute. She has published over 30 articles in journals that include the American Economic Review, Proceedings of the American Statistical Association, Notre Dame Lawyer, and Employee Relations Law Journal and was previously a tenured faculty member in Economics at the Florida State University.

Valerie J. Hoffman is a partner in the Chicago and Los Angeles offices of Seyfarth Shaw LLP. She is the founder and Chair of Seyfarth Shaw's Affirmative Action & Diversity Consulting Team. She has more than 30 years of experience in labor and employment law, with particular emphasis in the area of affirmative action compliance and employment discrimination. Her national practice encompasses strategies to prevent employment discrimination litigation, affirmative action compliance, pay equity issues, legally defensible diversity programs, best practices, metrics and change management. She has helped hundreds of clients leverage their compliance materials as management tools to map trends and spot issues for prevention of litigation. In recognition of Ms. Hoffman's work in these fields, SHRM has named her to its Special Expertise Panel on Workforce Diversity. In this role, she develops guidance and standards for diversity practitioners nationally and globally.

Ms. Alissa Horvitz is Co-Chair of Littler Mendelson's OFCCP Practice Group. Littler has substantial OFCCP depth with five attorneys who practice OFCCP law full-time, three attorneys who practice it more than 50% of their time, and a staff of data analysts who assist in the preparation of the analyses required in the Women and Minorities' AAP. Littler prepares AAPs on a flat fee basis, represents companies in OFCCP compliance reviews across all six of OFCCP's regions, trains recruiters and managers on Internet Applicant compliance, and provides advice and counsel on many issues such as record keeping, testing, outreach, job postings, and compensation. We handle both supply and service as well as construction contractor matters, and we also advise government contractors more broadly on employment law issues such as Prevailing Wage Laws, E-Verify, presidential executive orders affecting labor relations issues, and the like. Ms. Horvitz also enjoys speaking to National and Local ILG groups, whenever invited.

David Johnson has 21 years of human resource experience in labor and employee relations, compensation and benefits, the last 10 years spent in Affirmative Action, Diversity, and Recruitment in the healthcare industry. He is the Director of Recruitment and Diversity with Allina Hospitals & Clinics. David obtained his Bachelor of Arts degree in Business Administration in 1986 from Hamline University and his Masters in Health and Human Services and Management from St. Mary's University in 2001.

Joe Kennedy is and President of JN KennedyGroup LLP, a strategic management, and Dispute Resolution consulting firm. JNKG provides dispute resolution services in areas of labor, employment equity, family mediation, consumer mediation, collaborative facilitation, organizational development and commercial partnering. Prior to forming JNKG, he served more than 35 years in the Federal Government advancing to the Senior Executive Level as Acting Assistant Secretary of Labor for the Employment Standards Administration. During his tenure as National Deputy Director of the Office of Federal Contract Compliance Programs he was the chief strategist and resolution manager for multimillion-dollar employment cases. Prior to his employment with the Department of Labor, Joe Kennedy was the National Director of Program Development and Training with the Department of Health and Human Services Office for Civil Rights and served as regional manager in five locations. He has served as the top executive in regional offices as Director of Civil Rights in several locations including New York, Chicago, Atlanta, San Francisco and Kansas City. He has been recognized as an innovator and was selected by the leadership in the DHS as national consultant for improving compliance operations. He is a consultant on development of EEO-HR risk assessment and management analysis, and monitoring applications as well as a consultant to private employers on general dispute resolution and EEO compliance and workplace improvement strategies.

Joseph S. Lakis, Jr. is a senior partner with Norris, Tysse, Lampley & Lakis, LLP, a management-side employment law firm which, in addition to its traditional human resources compliance practice, also represents the Equal Employment Advisory Council (“EEAC”), the nation’s leading employer association dedicated to nondiscrimination and affirmative action compliance. As senior counsel to EEAC, Joe regularly advises the association’s members on compliance matters. He has trained thousands of professionals, managers, and executives of Fortune 500 companies in the fields of human resources compliance and diversity. Joe is also the general counsel of Employment Advisory Services, Inc. (“EASI”), a consulting firm specializing in the design and development of corporate EEO and affirmative action compliance programs. Joe received his law degree from Hofstra University School of Law. He is admitted to the bars of New York, Illinois, Connecticut, and the District of Columbia, and the federal courts in the Northern District of Illinois.

David Lamoreaux is a Vice President and Co-Practice Leader of CRA’s Labor and Employment practice. Dr. Lamoreaux specializes in the application of statistical techniques to analyses of employment practices, as those employment practices relate to gender, race, age, and ethnic origin discrimination. In addition, he regularly prepares estimates of economic losses related to employment discrimination claims, wage and

hour violations, and prevailing wage claims. He has handled a variety of matters involving Title VII, Age Discrimination in Employment Act (ADEA), Fair Labor Standards Act (FLSA) and Office of Federal Contract Compliance Programs (OFCCP) audits of federal contractors. Dr. Lamoreaux has provided expert witness testimony and presented seminars on the statistical analysis of employment discrimination to attorneys and human resource professionals. He has published in the American Economic Review and served as a consultant for the Department of Defense and a lecturer for California State University, Fullerton.

Tanya C. Lewis is the Director, Enterprise HR Strategy Implementation for Raytheon Company, a Fortune 500 technology and innovation leader specializing in defense, homeland security and other government markets throughout the world, with 2008 sales of \$23.2 billion. Under her leadership, Raytheon received the most distinguished honor and recognition to be bestowed on a federal contractor, the 2007 Secretary of Labor Opportunity Award. Her strategic vision and operational business acumen have resulted in millions of dollars of cost savings for the company and the recognition of Raytheon as a best in class corporation. Ms. Lewis routinely speaks on business process integration and alignment, organizational transformation, equality and diversity issues from a U.S. and International perspective.

Lilly Lin, Ph.D., is a consultant with Development Dimensions International. She is responsible for consulting with clients regarding the design and implementation of selection programs and multi-rater feedback assessments. Lilly has over 4 years of experience in the field of Industrial/Organizational psychology, and has been responsible for the implementation of selection and leadership development systems for Fortune 500 companies around the country including Nationwide Insurance, Lear Corporation, Frito-Lay, Boeing, General Motors and many others. She has authored several papers on topics such as job applicant decision-making and web-based assessment, and has presented at several industry conferences.

Dr. Mort McPhail received his master's degree and doctorate in I/O psychology from Colorado State University in 1975/1978 and is presently a Senior Vice President and Managing Principal with Valtera Corporation. He has consulted for over 30 years to public and private sector clients on issues including employee selection and promotion, test validation, training and development, performance assessment, and termination. He has served as an expert in litigation involving job analysis, test development and validation, compensation, and reductions in force. Dr. McPhail serves as adjunct faculty for both the University of Houston and Rice University and is on the Editorial Board of the journal *Personnel Psychology*. A Fellow of the Society for Industrial and Organizational Psychology (SIOP), Dr. McPhail is currently its Financial Officer/Secretary. He is a licensed psychologist and serves on a committee of the Texas Psychology Board developing and validating the State's Jurisprudence and Ethics Examination.

Cyrus Mehri is a founding partner of the law firm Mehri & Skalet, PLLC. M&S litigates cases involving discrimination, civil and consumer rights violations and

corporate, fraud on the government and corporate abuse. Mr. Mehri has served as co-lead class counsel in some of the largest and most significant race and gender cases in history: *Roberts v. Texaco Inc.*, (\$176 million, 1997); *Ingram v. The Coca-Cola Company* (\$192 million, 2001); *Robinson v. Ford Motor Company* (279 Apprentice Positions and \$10 million, 2005); *August-Johnson v. Morgan Stanley* (\$47 million 2007); *Amachoev v. Smith Barney* (\$33 million, 2008). The hallmark of each of those settlements is innovative programmatic relief. Mr. Mehri released a seminal report on the National Football league's record on hiring minority coaches, which resulted in the adoption of a comprehensive diversity plan by the League and a record number of African American head coaches and front office executives. Mr. Mehri is currently working with the NAACP on the Madison Avenue Project

Scott B. Morris, Ph.D., is an Associate Professor of Industrial/Organizational Psychology at Illinois Institute of Technology, where he teaches courses in personnel selection, legal issues in human resource management, and statistics. He received a Ph.D. in Industrial/Organizational Psychology from the University of Akron in 1994. Scott has generated a program of research aimed at improving the statistical analysis of adverse impact data, including comparative analyses of alternate statistical tests, procedures for computing confidence intervals, and methods for power analysis. Other areas of research include personnel selection, meta-analysis and differential item functioning. His work has appeared in *Journal of Applied Psychology*, *Personnel Psychology*, *Organizational Research Methods* and *Psychological Methods*. He currently serves on the editorial boards of *Journal of Applied Psychology* and *Personnel Psychology*.

Lorin Mueller, Ph.D., SPHR, is a Principal Research Scientist at the American Institutes for Research (AIR; www.air.org) in Washington, DC. Since joining AIR in 2000, he has worked in such diverse areas as employment litigation, measurement of persons with disabilities, program evaluation, high-stakes testing, and educational measurement. He has presented and published work in the areas of the assessment of individuals with disabilities, alternative methods for setting cut scores, and statistical issues in employment discrimination analyses. He is a member of the Society for Industrial and Organizational Psychology, the American Psychological Association, Society for Human Resources Management, and an Associate Member of American Bar Association. He serves as an adjunct faculty member at George Mason University, where he has taught graduate level multivariate statistics. He received his PhD in Industrial and Organizational Psychology from the University of Houston in 2002, where he specialized in statistics and measurement.

Kevin Murphy is a Professor of Psychology and Information Sciences and Technology and Director of Special Projects for the International Center for the Study of Terrorism at Pennsylvania State University. He served as President of the Society for Industrial and Organizational Psychology and as Editor of *Journal of Applied Psychology*. He has also served on four National Academy of Sciences committees, most recently the Committee to Review the Scientific Evidence on the Polygraph, and is the recipient of the Society for Industrial and Organizational Psychology's 2004 Distinguished Scientific Contribution Award. He is the author of over one hundred and fifty articles and book chapters, and

author or editor of eleven books, in areas ranging from psychometrics and statistical analysis to individual differences, performance assessment honesty in the workplace.

Patrick M. Nooren, Ph.D., retains over 16 years experience in the EEO/HR field and has invested thousands of hours in EEO-related cases and projects. He has authored numerous published articles and book chapters and is the primary author/editor of Biddle Consulting Group's book on compensation analyses titled, "Compensation Analyses: A Practitioner's Guide to Identifying and Addressing Compensation Disparities" (Release Date: January 2010). Dr. Nooren regularly presents to nation-wide employers on topics such as adverse impact, compensation analysis, affirmative action, OFCCP audit strategies, and testing/validation. He currently lives in El Dorado Hills, California, with his wife and two children.

Dr. Dwayne Norris is a Vice President in the Education, Human Development, and Workforce (EHDW) division of the American Institutes for Research. He has a M.S. and Ph.D. in industrial and organizational psychology from Virginia Tech, and his work centers on job analysis and competency modeling, personnel selection and certification, workforce development, and organizational surveys. Dr. Norris has worked on numerous test development and validation projects for a variety of clients including the FAA, U.S. Marshals Service, College Board, Department of Education, and the National Joint Apprenticeship and Training Committee.

Christopher K. Northup is a senior consultant with Ellen Shong & Associates. He has over 25 years of experience in AAP development and the development and use of census data in AAPs and litigation. He assists clients with the development of Affirmative Action Program numerics and narratives, recordkeeping and selection decision analysis, and representation on behalf of clients before the OFCCP. Mr. Northup has worked with clients in a variety of industries including pharmaceuticals, casinos, manufacturing, hospitals, higher education, banking and transportation. Mr. Northup's prior employment at PRI Associates and at Peopleclick, Inc., where he managed the software development of AAP products and consulted with clients nationwide, provides him exceptional insight into the use of census data, applicant tracking systems and the management of employee data, in particular issues associated with selection decision (adverse impact) and compensation analysis.

Scott Oppler, Ph.D., joined the Association of American Medical Colleges (AAMC) in June 2007 where he currently serves as the director of MCAT Development and Research. He and his staff are responsible for the development and implementation of research concerning the psychometric properties of the Medical College Admission Test (MCAT) and its use in the selection of medical students in the United States and Canada. Prior to joining the AAMC, Dr. Oppler served as chief methodologist for the Applied Behavioral and Social Sciences division at the American Institutes for Research (AIR), where we worked in their Georgetown office for 18 years. Dr. Oppler is the author or co-author of more than 50 journal articles, book chapters, or conference presentations concerning the measurement or prediction of human abilities, achievement, or

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James L. Outtz received his PhD in industrial and organizational psychology from the University of Maryland. He is a Fellow in the Society for Industrial and Organizational Psychology (SIOP), the American Psychological Association, and the American Educational Research Association. He is President of Outtz and Associates, a consulting firm in Washington D.C. His professional service includes membership on the Ad Hoc Committee on Revision of the “Principles for the Validation and Use of Personnel Selection Procedures.” In addition, he has served as consulting editor to the Journal of Applied Psychology. He is nationally recognized for his work in the area of adverse impact and alternative selection procedures, subjects about which he has written extensively. He is the editor of the recent volume in the Organizational Frontier Series of the Society for Industrial and Organizational Psychology entitled, *Adverse Impact: Implications for Organizational Staffing and High Stakes Selection* (Routledge Taylor/Francis, 2009).

Elizabeth Owens Bille, Esq. currently serves as in-house counsel for the Society for Human Resource Management (SHRM). Prior to coming to SHRM, Elizabeth served as a legal and policy advisor to the former Vice Chair of the U.S. Equal Employment Opportunity Commission (EEOC), Leslie E. Silverman. In this role, she counseled the Vice Chair and worked with the other Commissioners at the EEOC on matters related to complex litigation, subpoena enforcement, and on the development of regulations and enforcement guidance. Before her tenure at the EEOC, Elizabeth was an attorney in the labor and employment practice group of the Washington D.C.-based management firm of Hogan & Hartson. She has also worked at SHRM in its government affairs department, representing SHRM before Congress and at the state level on issues such as genetic non-discrimination in employment, equal pay, workplace violence, paid leave, and the like.

Ramona L. Paetzold, Ph.D., is Professor of Management and Mays Research Fellow at Texas A & M University. She received her doctorate from Indiana University and her J.D. from the University of Nebraska. Her research interests involve the intersection of law, psychology, and statistics in the area of employment discrimination. She is lead author of the book, *The Statistics of Discrimination* (with Steven L. Willborn), and has published her theoretical and empirical research in a variety of journals, such as the Harvard Law Review Forum, the North Carolina Law Review, Employee Rights and Employment Policy Journal, the Academy of Management Review, Personnel Psychology, and the Journal of Applied Social Psychology. Dr. Paetzold is currently focusing her research on issues pertaining to workplace disability and accommodation as well as sexual harassment in the workplace.

Doug Reynolds is VP of Assessment Technology at Development Dimensions International (DDI), where he leads development of assessment and testing products. He has implemented large-scale assessments and online recruiting tools with many Fortune-500 companies and several federal agencies. His work has also focused on the use of computer-delivered simulations for executive and leadership evaluation. Doug is an

expert witness on personnel selection practices, and he has published and presented frequently on topics related to the automation of screening, testing, and assessment for job selection. Recently Doug co-authored *Online Recruiting and Selection*, a book on the integration of technology with assessment practices; he is also co-editor of *Workplace Assessments*, a forthcoming book in the Industrial/Organizational Psychology Practice Series and he is a member of the editorial board for the *Journal of Management*. Doug is active in the leadership of the Society of Industrial/Organizational Psychology (SIOP), currently serving on the Executive Board as the Communications Officer.

Paul R. Sackett is the Beverly and Richard Fink Distinguished Professor of Psychology and Liberal Arts at the University of Minnesota. He received his Ph.D. in Industrial and Organizational Psychology at the Ohio State University in 1979. His research interests revolve around various aspects of testing and assessment in workplace, educational, and military settings. He has served as editor of two journals: *Industrial and Organizational Psychology: Perspectives on Science and Practice* and *Personnel Psychology*. He has served as president of the Society for Industrial and Organizational Psychology, as co-chair of the committee producing the *Standards for Educational and Psychological Testing*, as a member of the National Research Council's Board on Testing and Assessment, as chair of APA's Committee on Psychological Tests and Assessments, and as chair of APA's Board of Scientific Affairs.

Lance Seberhagen is Director of Seberhagen & Associates, Vienna, VA. He has a Ph.D. in industrial and organizational psychology from the University of Minnesota. His firm provides management consulting services to government and private industry, specializing in job analysis, employee selection, position classification, compensation, and equal employment opportunity. He has also worked as an expert witness in over 100 cases regarding employment discrimination. www.seberhagen.com.

Ellen Shong Bergman was the 1981 Reagan-Bush Director of the OFCCP, the first to come from private industry, having worked on a corporate legal staff and as Director of EEO/AA for Amax Inc. At the OFCCP she insisted on agency adherence to Title VII standards, offered contractors the opportunity to establish liaison groups (ILGs) and made the first Exemplary Voluntary Efforts ("EVE") Awards to contractors who had exceptional action-oriented programs. Both ILGs and EVE Awards continue to be significant opportunities for contractors today. Since 1983, Ellen Shong & Associates, LLC, has had a national practice in EEO/AA compliance management, with an emphasis on representation before the OFCCP in complex discrimination matters, including compensation, and statistical cases involving alleged adverse impact. Ellen also provides litigation support to law firms and as an expert witness in cases involving discrimination and compliance. She is a graduate of Michigan State University and the University of Arizona, where she was awarded the Juris Doctor in 1975.

Mickey Silberman is the Chair of Jackson Lewis LLP's National Affirmative Action Practice Group and also is Managing Partner of the firm's Denver, Colorado office. Mr. Silberman represents management exclusively in all areas of employment law and specializes in affirmative action, OFCCP compliance and diversity. He counsels

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Evan Sinar leads DDI’s Assessment and Selection Analytics group where he manages a team of industrial-organizational professionals to create, implement, evaluate the effectiveness of, and continuously improve DDI’s screening, testing, and assessment solutions. He has consulted extensively with numerous Fortune 500 corporations on their selection programs, with a primary focus on strategies for validation, legal defensibility, and robust technical rigor. Evan’s screening and testing implementations provide accurate, efficient, and fair application opportunities for more than 10,000 job candidates daily. Evan has presented over two dozen papers at professional conferences, and has published articles in major professional journals including the Journal of Applied Psychology, Personnel Psychology, and the International Journal of Selection and Assessment. He also authored the chapter on the Uniform Guidelines on Employee Selection Procedures for the Encyclopedia of Industrial and Organizational Psychology. Evan received his Ph.D. in Industrial/Organizational Psychology from Bowling Green State University.

Joanne Snow In 1983, Joanne Snow, President , founded Joanne Snow and Associates, which incorporated in the State of California in 1985. The firm changed its name to JSA Consulting, Inc. (JSA) in 1997. JSA assists federal contractors and subcontractors throughout the country in all aspects of affirmative action design, development and implementation as well as audit support during Department of Labor - OFCCP - audits. Prior to founding JSA, Joanne Snow held various management and executive positions in Silicon Valley. She was Human Resources Director for three divisions of RSI Group of Loral Companies - Randtron Systems and two sites of Aercom Industries. Prior to that, she was Director of Training and Personnel Services for the Electronics Association of California, a high tech trade association, later becoming part of the American Electronics Association. In addition, she has served on various steering committees and boards, including nonprofit organizations and the Silicon Valley Chapter of the Industry Liaison

Group (a group that brings together Federal compliance officers from the Department of Labor's Office of Federal Contract Compliance Programs and industry executives and specialists in EEO and Affirmative Action compliance). Joanne holds two Baccalaureates from San Jose State University and has over forty-five years of training, management and human resources experience.

Andy Solomonson, Ph.D., is Consulting Practice Director at PreVisor, an Atlanta, GA-based company specializing in online pre-employment and post-hire testing products and services. He is responsible for *creating and maintaining consulting services offerings and* consults with clients on needs related to design, validation and implementation of selection and post-hire assessment solutions. Previously, he served as a Senior Consultant with Right Management Consultants, where he also consulted with clients in the areas of selection and assessment systems; competency modeling; and applied survey research. Andy earned a Ph.D. and M.S. in Industrial-Organizational Psychology at the University of Georgia, and a B.S. in Psychology from the University of South Florida. He is a member of SIOP and has published and presented on topics such as selection test design and validation, job analysis, performance appraisal, and employment branding.

Matthew Thompson is a Vice President and co-head of Charles River Associates' Labor and Employment practice. He received a Bachelor's Degree from Central College and a Ph.D. in Economics, with an emphasis in Labor Economics, from the University of North Carolina at Chapel Hill. Dr. Thompson has worked extensively with attorneys and human resource professionals in analyzing labor related issues including employment discrimination and wage and hour violations. He specializes in the empirical analysis of employment practices and assists clients with the development and production of complex databases that are instrumental in analyzing labor related issues. Dr. Thompson has been retained as an economic expert by both plaintiffs and defendants in single plaintiff and class action matters. He has provided oral testimony in State and Federal courts and at arbitration hearings. Dr. Thompson helps clients respond to OFCCP and EEOC audits and develop processes to proactively monitor employment decisions.

Michael P. Ward received his Ph.D. in economics from the University of Chicago. He served on the faculty of the University of California at Santa Barbara and the University of California, Los Angeles, teaching courses in micro-economics, econometrics, statistics, and labor economics. Before joining Welch Consulting, he was a senior economist at RAND, directing federally funded research on women's employment patterns and wages, job turnover rates for young men, the U.S. private pension plan system, and the earnings and retirement decisions of older workers. His academic research also includes work in energy supplies and the economics of production and inventory systems in businesses. Dr. Ward has extensive experience as an expert witness, testifying on statistical and economic matters in a broad range of litigation settings in Federal and State courts. His testifying experience includes cases involving employment discrimination, school desegregation, age discrimination, and losses of business and personal earnings. His studies of employment practices have covered various industries, including aerospace, grocery and retail trade, agricultural employment, and public employment.

Finis Welch is President of Welch Consulting. He testifies frequently on statistical and economic issues involving a variety of issues from allegations of employment discrimination to underwriting criteria for insurance companies. Finis Welch is Distinguished Professor Emeritus of Economics at Texas A&M and Professor Emeritus of Economics at UCLA. He earned his Ph.D. at the University of Chicago and taught microeconomic theory, econometrics and labor economics to graduate students for 39 years. He has testified before Congress on various issues relating to public policy; his publications on the economics of income, education, and employment have been frequently cited in the professional literature. Welch is an elected member of the American Academy for the Advancement of Science and a Fellow of the Econometric Society. He is past vice president of the American Economic Association and past president and vice president of the Society of Labor Economists. He received the Jacob Mincer Career Achievement Award from the Society of Labor Economists in 2007.

Paul F. White, Ph.D., is the Managing Director of ERS Group's Washington, D.C. office. His practice areas cover many aspects of employment discrimination cases, including: compensation, hiring, promotion, and termination. Dr. White's practice also includes OFCCP investigations of federal contractors, proactive monitoring of compensation and employee selections, FLSA wage and hour cases, economic damages calculations, union contract negotiations, and NLRB hearings. Additionally, Dr. White has conducted analyses on mutual fund trading practices, asbestos exposure, and prescription drug pricing. Dr. White has testified numerous times in local, state, and federal courts. He served as an adjunct member of the graduate school faculty at Florida State University from 1996 through 2002 and has published papers in the Journal of Forensic Economics and the Journal of Applied Business Research. He has served as a referee for the Journal of Forensic Economics, Litigation Economics Review, and Contemporary Economic Policy.

Shirley J. Wilcher is a leading authority on equal opportunity and diversity policy. Ms. Wilcher is currently Executive Director of the American Association for Affirmative Action (AAAA). She is also President of Wilcher Global, LLC, a consulting firm that specializes in diversity management, affirmative action, contract compliance, and government relations. During the Clinton Administration, Ms. Wilcher served a seven-year term as Deputy Assistant Secretary for the Office of Federal Contract Compliance Programs (OFCCP), in the Employment Standards Administration of the U.S. Department of Labor. Her more than twenty years of experience include service as civil rights counsel with the Education and Labor Committee, US House of Representatives; as Director for State Relations and General Counsel with the National Association of Independent Colleges and Universities, and as a staff attorney with the National Women's Law Center. Ms. Wilcher is an honors graduate of Mount Holyoke College in South Hadley, Massachusetts; holds a Master of Arts Degree from the New School for Social Research in New York, NY; and a Juris Doctor from the Harvard Law School in Cambridge, Massachusetts.

Dr. Sheldon Zedeck is Professor of Psychology in the Department of Psychology and Vice Provost for Academic Affairs and Faculty Welfare at the University of California at Berkeley. He is co-author of four books on various topics. He has served on the editorial boards of Journal of Applied Psychology (editor, 2002-2008), Contemporary Psychology, and Industrial Relations. He has also served as Editor and Associate Editor of Human Performance, as well as Associate Editor of Applied Psychology: An International Review. In 1986-87, he was the President of SIOP; included among his committee service to the Society has been service on two ad hoc committees concerned with revising the Society's "Principles for the Validation and Use of Personnel Selection Procedures." He has been consulted with private and public sector organizations and served as an expert witness in employment discrimination cases. He recently completed a 9-year research project with Marjorie M. Shultz (Boalt School of Law), sponsored by the Law School Admission Council, on the identification of factors and criteria of lawyering success and the development and validation of tests that can be used as complements to the Law School Admission Test (LSAT) for admitting students to law schools.