



LE REGROUPEMENT CANADIEN DES  
PSYCHOLOGUES INDUSTRIELS ET  
ORGANISATIONNELS

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## COMMENTS FROM THE CHAIR

*Pat Rowe*  
*University of Waterloo*

As many of you already know, I am retired from the University of Waterloo, but continue to be involved in both a research and academic capacity at the university. A little more than seven years ago Waterloo offered an early retirement package to about 300 faculty members, an offer that was accepted by 140 of them. The Psychology

department lost eight members at that time, but the surprising aspect is that so many of them are still around, writing, conducting research, and even teaching. Not only are those who took early retirement still around but so, too, are many like myself who reached normal retirement age but continue to work. In the same way, many self-employed individuals work well beyond 65, though they may decrease their workloads.

I am writing this message a few days after our new Prime Minister, Paul Martin, proposed a national debate on mandatory retirement, presumably thinking not only about the distress caused to some people who are required to retire at 65, but also about the fact that he himself has reached that age. Considerable discussion has been waged on the editorial pages of the Globe and Mail and on the CBC since that original suggestion was made. The consequences of eliminating mandatory retirement on the policies and procedures in the human resources area has been an issue that has intrigued me for a long time, but in a quick review of texts in personnel psychology and human resources I have found no reference to retirement. Another interesting question, of course, is the

implication that working past the age at which one becomes eligible for a pension has for theories of job commitment and job satisfaction, a question that I will leave for another time.

It is worth first stating the principal arguments for and against mandatory retirement. Proponents of retirement at a set age usually point to the need to let young people have an opportunity to find good jobs, to provide new blood and fresh ideas, and to permit older workers to get out of the workplace and enjoy some leisure time while they are still healthy enough to do so. Additionally, Buzz Hargrove argues that there are “societal benefits in maintaining the ability of employers and unions to freely negotiate whether or not mandatory retirement makes sense for their particular workplace” (Globe and Mail, December 29, 2003). Those opposed to mandatory retirement cite the loss of knowledge and skills when people are forced to retire despite being willing and able to continue working. Beyond that loss, Stackhouse (Globe and Mail, December 29, 2003) points to the economic issue of inadequate pension funds to support retirees living longer and the declining ratio of workers to pensioners. Apart from the economic and demographic data, however, there is little evidence to support either the pro or the con arguments.

If mandatory retirement is abolished, a number of questions should concern us. If retirement becomes a matter of individual choice then organizations will want to know on what basis workers will decide to retire. My own observations plus some limited evidence from the literature suggests two important factors: financial status and job satisfaction. Those who take early retirement are more likely to have pension and other income that permits a comfortable lifestyle, and to be less satisfied with their jobs. While

generous pensions may persuade many workers to retire, the capacity of pension funds to provide adequate payment for a long period is very limited. Neither financial status nor job satisfaction is strongly related to job performance, and thus those who choose early retirement are as likely to be excellent performers (or poor performers) as are those who decide to continue working. As a result, to ensure a productive workforce employers will need to take the initiative and demand that some workers retire.

The important question then becomes: how will employers determine which workers will be laid off? I would suggest that there are two possible answers: performance appraisal and “deselection.” I/O psychologists have always stressed the importance of monitoring worker performance and providing feedback, but for the older worker this becomes an essential process. Not only will it provide information to the employee that will be important for his or her own decision, but it will be crucial for the employer in making a fair decision about termination. Certainly, employers considering dismissal will need to show that a worker is not performing in a satisfactory manner, and that this evaluation was reached using valid and fair methods.

“Deselection” implies the use of similar procedures to those used for selection, except that those who fail to reach a predetermined level will be required to leave the organization. Again, these measures will need to be based on job analyses, and be valid and fair. Perhaps to a greater extent than in selection, measures of sensory, perceptual, motor, and physical strength and stamina will need to be included. Determining the appropriate procedures will not be easy, but I/O psychologists should take the lead in this work.

As a final point, it may be that I/O psychologists will want to contribute to the public debate on this issue. Should mandatory retirement be abolished? My own view is that it should be since it is a form of age discrimination, but what do you think? And if it is abolished, how do we create retirement programs that will lead to orderly change in the workforce and pension schemes that permit people at some point to retire in comfort? I think that we in CSIOP need to be ready to provide some answers to these questions and to participate in formulating public policy. I look forward to hearing your views on this subject.



Translated by Johanne Lapointe

Comme plusieurs d'entre vous le savent, je suis retiré de l'Université Waterloo, mais je continue à être impliqué dans les activités de recherche et académiques de l'université. Il y a un peu plus de sept ans, l'université Waterloo a offert un programme de retraite anticipée volontaire à environ 300 professeurs, une offre qui fut acceptée par 140 d'entre eux. Le département de psychologie a alors perdu 8 membres de son personnel, mais l'aspect le plus surprenant est qu'un grand nombre d'entre eux sont encore présents, ils écrivent, font de la recherche et enseignent même. Non seulement les gens qui ont pris une retraite anticipée sont-ils encore présents mais plusieurs, qui comme moi ont atteint l'âge normal de la retraite, continue aussi à travailler. Tout comme le font plusieurs travailleurs autonomes qui travaillent bien au-delà de 65 ans, bien que certains réduisent leur charge de travail.

J'écris ce message quelques jours après que notre nouveau Premier ministre, Paul Martin,

a proposé un débat national sur la retraite obligatoire, en pensant possiblement à l'angoisse de certains individus qui sont forcés de retirer à 65 ans, mais aussi au fait qu'il a lui-même atteint cet âge. Ce sujet a fait l'objet des pages éditoriales du Globe and Mail et des émissions de la Société Radio Canada nombre de fois depuis que la suggestion initiale a été faite. Les conséquences d'éliminer la retraite obligatoire pour les politiques et les procédés dans le domaine des ressources humaines m'ont toujours intrigué. Mais, lors d'une rapide recension des textes portant sur la psychologie du personnel et des ressources humaines je n'ai trouvé aucune référence à la retraite. Une autre question intéressante, bien entendu, est la conséquence de travailler passé l'âge d'éligibilité à une pension sur les théories de l'engagement envers l'emploi et de la satisfaction au travail. Une question que je laisse pour une autre fois.

Les arguments, pour et contre la retraite obligatoire, méritent d'être d'abord d'être énoncés. Les supporters de la retraite à un âge prédéterminé souligne habituellement la nécessité de laisser la chance aux jeunes de trouver de bons emplois, d'apporter du sang nouveau, des idées fraîches et de permettre aux travailleurs plus âgés de quitter le milieu du travail et de profiter des temps de loisirs pendant qu'ils sont encore assez en santé. En plus, Buzz Hargrove affirme qu'« il y a des bénéfices sociaux à maintenir l'habileté des employeurs et des unions à négocier librement pour savoir si la retraite obligatoire fait du sens pour leur milieu de travail particulier (*traduction libre de la traductrice*) » (Globe and Mail, 29 décembre, 2003). Ceux qui s'opposent à la retraite obligatoire citent la perte de connaissances et d'habiletés quand les individus sont forcés de se retirer malgré leur volonté et leur habileté à continuer à travailler. Au-delà de la perte, Stackhouse (Globe and Mail, 29 décembre,

2003) note l'insuffisance des fonds de pension à supporter les retraités qui vivent plus longtemps et le déclin du rapport de travailleurs à retraités. Mis à part les données économiques et démographiques, il existe peu de preuves qui supportent les arguments pour ou contre.

Si la retraite obligatoire est abolie nombre de questions se posent à nous. Si la retraite devient un choix individuel les organisations voudront savoir sur quelle base les travailleurs vont décider de se retirer. Mes propres observations, en plus des quelques preuves tirées de la littérature, suggèrent deux facteurs : la condition financière et la satisfaction au travail. Ceux qui prennent une retraite anticipée sont plus aptes à avoir une pension et d'autres revenus qui leur permettent un style de vie confortable et moins satisfaits de leur emploi. Bien que des pensions généreuses puissent persuader plusieurs travailleurs de se retirer, la capacité des fonds de pension de fournir des paiements adéquats pour de longues périodes est très limitée. Puisque ni la condition financière, ni la satisfaction au travail sont fortement reliés à la performance au travail ceux qui choisissent la retraite anticipée sont aussi aptes à être très performants (ou non performants) que ceux qui décident de continuer à travailler. En conséquence, pour assurer une main-d'œuvre productive les employeurs devront prendre l'initiative et demander que certains employés se retirent.

Une question importante se pose alors : comment les employeurs détermineront-ils quels employés congédier ? Je crois qu'il y a deux réponses possibles : l'évaluation de la performance et la "dé-sélection". Les psychologues I/O ont toujours souligné l'importance de contrôler la performance des travailleurs et de leur fournir une rétroaction mais ce processus devient essentiel pour les employés plus âgés. Non seulement ce

processus fournira-t-il à l'employé de l'information importante pour sa prise de décision mais il sera essentiel à l'employeur pour prendre une décision juste pour remercier la personne. Il est certain que les employeurs considérant le renvoi devront démontrer que l'employé ne produit pas de façon satisfaisante et que cette évaluation est basée sur des méthodes justes et valides.

La "dé-sélection" implique l'utilisation d'une procédure similaire à celle utilisée pour la sélection sauf que ceux qui n'atteignent pas un niveau pré-déterminé sont priés de quitter l'organisation. Encore une fois, ces mesures devront être basées sur l'analyse d'emploi et être valide et juste. Des mesures de force sensorielle, perceptive, motrice et physique et d'endurance devront possiblement être inclus, dans une plus grande mesure que lors de la sélection. Déterminer la procédure qui est appropriée ne sera pas une tâche facile mais les psychologues I/O devraient prendre la tête dans ce travail.

Comme dernier point, il se peut que les psychologues I/O désirent contribuer au débat public sur le sujet. La retraite obligatoire devrait-elle être abolie ? Selon moi elle devrait l'être car c'est une forme de discrimination contre l'âge, mais qu'en pensez-vous ? Et si elle est abolie, comment créerons-nous des programmes de retraite qui conduisent à des changements ordonnés dans le milieu de travail et des plans de pension qui permettent aux individus de se retirer, à un moment donné, avec confort ? Je crois que nous, de SCPIO, devons être prêts à fournir des réponses à ces questions et à participer à la formulation des politiques publiques. J'attends vos points de vue sur le sujet.



**The I/O Files: Chronicles of the paranormal in I/O Psychology**  
*Arla Day, Ph.D., Saint Mary's University*  
*Tracy Hecht, Ph.D., University of Manitoba*

**CONFERENCE DATE REMINDERS...**

- **SIOP:** April 2-4, Chicago ([www.siop.org](http://www.siop.org)).
- **ASAC:** June 5-8, Quebec City.
- **CPA:** June 10-12, St. John's, Newfoundland.
- **4<sup>th</sup> International Conference on Emotions & Organizational Life:** June 27-29, London, England; held in conjunction with the European Group for Organizational Studies, July 1-3. Call for papers due March 31. Contact Neal Ashkanasy (N.Ashkanasy@uq.edu.ca) for more information.
- **Academy of Management:** August 6-11, New Orleans.
- **APA:** July 28 – August 1; Honolulu!!

**CONGRATULATIONS!**

**David Zweig** of the University of Toronto at Scarborough is a co-investigator on a 1.9 million dollar SSHRC INE grant funding a study on the Globalization of Personal Data. The grant was awarded to a multidisciplinary and international team of researchers, headed by Queen's University, to examine the implications of the increasing flow across international borders of personal data, from telephone numbers and PINS to fingerprints and retinal scans. Dr. Zweig's research will investigate reactions to privacy invasion internationally and examine how to define the boundaries around acceptable versus unacceptable monitoring practices.

Marylène Gagné, who is a faculty member at Concordia, was the recipient of the CPA Junior Researcher Award. She will be presenting her research entitled "The Advantages of Using a Theory of Differentiated Motivations for Understanding

Organizational Behaviour" in a symposium at CPA this coming June in connection to this award.

**Gary Johns** of the John Molson School of Business, Concordia University, received the 2003 Concordia University Research Award, given to a candidate whose research has exhibited excellence over the full span of a mature career.

A recent graduate of the University of Waterloo's I/O program, Shannan Jackson (M.A.Sc., 2003), has won the 2004 award for best Human Resources master's thesis from the Human Resources Professional Association of Ontario.

**Sebastien Blanc**, Cinthia Branco, Karene Saad, & **Mike Teed** graduated with a M.Sc. in I/O Psychology from Saint Mary's University.

**NEW JOB NEWS...**

**Andrea Kohan** is now a Professor in the Criminal Justice Department of Sault College of Applied Arts and Technology.

**Sunjeev Prakash** has recently accepted a position at the RCMP's HR Research and Intelligence Unit in Ottawa.

**Donna Reid** is currently a Workplace Wellness Consultant at Kelly, Luttmer, & Associates Ltd.

**Jill Sullivan** has taken an assignment in Calgary as the Regional Manager, Human Resources, Prairies, Nunavut, and NWT Business Centre (which is still part of Canada Mortgage and Housing Corporation).

**NEW STUDENTS...**

The University of Guelph has a number of new students. The new Ph.D. students are Amanda Matejcek, Evelina Rog, Sebastien

Houde, Allyson McElwain and **Melissa Warner**; and the new M.A. students are Perng Yih Ong, Julie Clairmont, Ewa Munro and Rebecca Slan.

Because UBC's Business School has so much news, Dan Skalicki has a full report below.

Thanks to all the contributors for their valuable information! All news items can be directed to me at [Arla.Day@smu.ca](mailto:Arla.Day@smu.ca).



**Special Section: UBC Sauder School of Business**

*Daniel Skarlicki, Ph.D.  
University of British Columbia*

UBC Faculty of Commerce has been recently named with a \$20 million dollar endowment from the Sauder family. We are now the Sauder School of Business. We are now able to offer better funding and support for students than ever before. Currently we have more than 1,750 students in our Bachelor's, Masters and PhD programs, with considerable plans for further growth. We also intend to hire an additional 20 faculty positions in the next few years.

TO ALL MASTERS STUDENTS: We are now accepting applications for our Ph.D. program in OBHR at the Sauder School of Business. Our program is a wonderful place to pursue academic training among people who are excited about research. You would join an excellent group of PhD students, working in a highly supportive learning environment. Faculty and students publish in top-flight journals. We have a very active seminar series, bringing in speakers from around the globe. And Vancouver is of

course one of the most beautiful cities to line in the world.

In addition to our regular source of financial support for our doctoral program, we are delighted to announce that we are offering a full doctoral scholarship for one student who is interested in conducting research in family business.

For more information please see our web site at [www.sauder.ubc.ca](http://www.sauder.ubc.ca) or contact me at [skarlicki@sauder.ubc.ca](mailto:skarlicki@sauder.ubc.ca).



**A BIG FAT GREEK LAWSUIT:  
SUMMARY OF A RECENT B. C. HUMAN  
RIGHTS TRIBUNAL DECISION**  
*Erika L. Ringseis<sup>1</sup>*

Some human rights legislation in Canada sets a statutory limit for the amount of compensation available for hurt feelings, injury to dignity and self-worth as a result of a human rights violation, such as in Ontario. In British Columbia, however, there is no statutory limit for this category of awards. Up until 2003, the highest award in British Columbia for injury to dignity, feelings and self-respect was \$7,500.00, which is lower than other provinces. This changed with the decision of the British Columbia human rights tribunal ("Tribunal") in *Fukhwinder Gill v. Grammy's Place Restaurant & Bakery Ltd.*<sup>2</sup>

<sup>1</sup> Dr. Ringseis is a labour, employment and human rights lawyer at Fraser Milner Casgrain LLP in Calgary, Alberta.

<sup>2</sup> 2003 BCHRT 88, available online at <http://www.lancasterhouse.com/decision/2003/dec/bchrt-grammy.pdf>.

**Facts:**

The complainant, Ms. Gill, was a waitress at Grammy's Place Restaurant & Bakery Ltd. ("Grammy's"), which was owned and operated by the Grammatikos family. Ms. Gill alleged, and the Tribunal found, that Mr. Grammatikos engaged in a number of acts constituting sexual harassment. Mr. Grammatikos made unwelcome comments to Ms. Gill about her appearance, such as commenting upon her lips and eyes and her body size. Mr. Grammatikos also engaged in conversations with Ms. Gill whereby he described his sexual exploits while he was a young man. Together these comments were unwelcome and inappropriate and form a basis for a harassment complaint. Sexual harassment is considered to be discrimination on the basis of sex under human rights legislation in Canada, following a major Supreme Court of Canada decision.<sup>3</sup>

In addition to the verbal harassment, Ms. Gill complained of a number of incidences of unwelcome touching. Mr. Grammatikos apparently hugged and kissed Ms. Gill inappropriately, snapped her bra strap, placed a hand on her thigh and licked the inside of her ear on various occasions. Additionally, the Tribunal found that Mr. Grammatikos rubbed his body against Ms. Gill on at least one occasion. This behaviour constituted harassment.

The most traumatic incident of sexual harassment occurred one night when Ms. Gill was alone in the restaurant with Mr. Grammatikos for closing. Mr. Grammatikos grabbed Ms. Gill and pulled her to him, tried to forcibly kiss her on the mouth and then tried to "put his hands all over her." Mr. Grammatikos also suggested to Ms. Gill that they drive to a nearby motel for sex.

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<sup>3</sup> See *Janzen v. Platy Enterprises Ltd.* (1989), 10 C.H.R.R. D/6205 (S.C.C.).

Although Mr. Grammatikos denied this incident, in addition to the other incidences of sexual harassment alleged by Ms. Gill, the Tribunal was not impressed with Mr. Grammatikos's testimony. They did not find Mr. Grammatikos to be a credible witness, and preferred the testimony of Ms. Gill.

After the attack by Mr. Grammatikos, Ms. Gill was very upset. She confided in a co-worker, Mr. Karogiannis, who initially did not believe her. Mr. Karogiannis informed Mr. Grammatikos of what Ms. Gill had told him. Subsequent actions of Mr. Grammatikos lead Mr. Karogiannis to realize that Ms. Gill had been telling the truth. Ms. Gill's employment was subsequently terminated without notice and without cause. Ms. Gill claimed that this termination was because she had resisted Mr. Grammatikos's advances and because she had subsequently told another individual about them.

When Mr. Grammatikos realized that Mr. Karogiannis believed Ms. Gill, Mr. Karogiannis was dismissed as well. Following the dismissal of Ms. Gill and Mr. Karogiannis, a vicious rumour mill started in the small town of Hope, British Columbia, where Ms. Gill and Mr. Karogiannis both resided. Ms. Grammatikos and other members of the Grammatikos family indicated to many individuals around town that the reason why both Ms. Gill and Mr. Karogiannis were fired was because these two individuals were having an affair.

**The Analysis of the Human Rights Tribunal**

The Tribunal found that:

Mr. Grammatikos terminated Ms. Gill's employment for reasons related to his sexual harassment of her. He wished to silence her and to punish

her for confiding in Mr. Karogiannis. He also wished to deter her from taking any to her action, which may expose him. This may be viewed as a continuation of the sexual harassment but it, in any event, discrimination on the basis of sex.

The Tribunal further found that Mr. Grammatikos had indeed started a rumour about the affair between Ms. Gill and Mr. Karogiannis and was largely responsible for the extreme mental distress suffered by Ms. Gill. Not only was Ms. Gill devastated by the implications that she, a woman in a traditional marriage with strong religious beliefs, would cheat on her husband, but also that she as a family woman would cheat on her children as well. Ms. Gill was so distressed by the rumours and the resulting difficulties her children were encountering at school, that she attempted to commit suicide on more than one occasion. As Grammy's was responsible for the actions of its employees, including Mr. Grammatikos, the Tribunal found it responsible for damages arising from Ms. Gill's wrongful termination and Mr. Grammatikos's harassment of her.

**Remedy**

The Tribunal ordered Grammy's to cease and desist discriminating against Ms. Gill and made a declaratory order that during her employment she was sexually harassed by Mr. Grammatikos. In order to determine an appropriate award to compensate Ms. Gill for the injury to her feelings, dignity and self-respect, seven factors were considered:

1. The nature of the harassment, that is, was it simply verbal or was it physical as well?

2. The degree of aggressiveness and physical contact in the harassment;
3. The ongoing nature, that is, the time period of the harassment;
4. The frequency of the harassment;
5. The age of the victim;
6. The vulnerability of the victim; and
7. The psychological impact of the harassment on the victim.

The Tribunal recounted in great detail the evidence surrounding the devastating impact that Grammy's discriminatory conduct had on Ms. Gill. Her emotional, social, and family lives were all negatively affected. Ms. Gill was traumatized physically and psychologically. Thus, the Tribunal awarded more in damages for hurt feelings than it has ever awarded before: \$10,000.00.

Ms. Gill was also awarded six month's worth of wages, in lieu of notice, reimbursements for medication and treatments received as a result of the psychological impact of the harassment, some legal costs and interest on the relevant amounts. This decision was rendered on December 16, 2003, in Vancouver, British Columbia.



**CSIOP MEMBERSHIP COLUMN**  
*Tracy Hecht, Ph.D.*  
*University of Manitoba*

Happy New Year!

**Membership Statistics and New Members**  
CPA was updating its member database at the time of writing this column; therefore,

information regarding CSIOP membership remains the same as the last column (298 Full & Student members). With regard to associate members, we acquired 2 new members since the last column.

We welcome the following associate members:

**Kathleen Boies**, Department of Management, John Molson School of Business, Concordia University, 1455 de Maisonneuve Blvd. W., Montréal, Québec, H3G 1M8. Office: GM 503-41  
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Work Fax: 514-848-2424 x.4292  
Email: [kboies@jmsb.concordia.ca](mailto:kboies@jmsb.concordia.ca).

**James Thacker**, Management and Labour Studies, Odette School of Business, University of Windsor, 401 Sunset Ave., Windsor, Ontario, N9C 3P4. Work phone: 519-253-3000 x.3144  
Home phone: 519-562-5380  
Email: [jwt@uwindsor.ca](mailto:jwt@uwindsor.ca).

James completed his Ph.D. (Industrial/Organizational Psychology, 1982) at Wayne State University and is currently a Professor at the University of Windsor. His areas of interest are human resource management and training.

**Please note the following changes to member contact information:**

**Jayne Gayton**, Ph.D., Consultant, A.W. Fraser & Associates, Industrial Psychologists / Management Consultants, 453-595 Burrard Street, Vancouver, British Columbia. Work Phone: 604-685-4700  
Work Fax: 604-685-7999  
Email: [jgayton@magma.ca](mailto:jgayton@magma.ca).

**Andrea Kohan**, Sault College of Applied Arts and Technology, 443 Northern Avenue, Sault Ste. Marie, Ontario, P6A 5L3.  
Work Phone: 705-759-2554 x.617  
Work Fax: 705-949-0260  
Home Phone: 705-942-9981  
Email: [andrea.kohan@saultc.on.ca](mailto:andrea.kohan@saultc.on.ca).

**Allyson K. McElwain**, M.A. (Industrial/Organizational Psychology), R.R. # 2, Ariss, Ontario, N0B 1B0.  
Work Phone: 519-820-4120 x.58931  
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**Aaron Schat**, Michael G. DeGroot School of Business, McMaster University, 1280 Main Street West, Hamilton, Ontario, L8S 4M4.  
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**Jill Sullivan**, M.Sc., Regional Manager, Human Resources, Canada Mortgage and Housing Corporation, Prairie, Nunavut and NWT Business Centre, 1000 7<sup>th</sup> Ave. SW, Ste 200, Calgary, Alberta, T2P 5L5.  
Work Phone: 403-515-2906  
Work Fax: 403-515-3516  
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**Dave Woycheshin**, 1526 Perth Avenue, London, Ontario, N5V 2M5  
Home Phone: 519-659-8267  
Email: [dwoyches@uwo.ca](mailto:dwoyches@uwo.ca).

Please continue to keep us abreast of any changes in your contact information. If your membership is through CPA (in other words, if you are a full or student member), please be sure to contact both CPA and the CSIOP membership coordinator; associate members need only contact the CSIOP membership coordinator. I can be reached at (204) 474-9783, fax: (204) 474-7545, or e-mail: [hechtttd@ms.umanitoba.ca](mailto:hechtttd@ms.umanitoba.ca).



**The Meiorin Case: Implications for I/O Psychologists**  
*Gerald P. Gruber, M.A.*  
*Gruber Associates*

In 1999 the Supreme Court of Canada rendered a decision that could have long term repercussions on I/O Psychology practitioners across Canada (e.g., Catano, 2001; Treasury Board of Canada, 2002). You would be forgiven if you had not noticed the decision at the time (*British Columbia (Public Service Employee Relations Commission) v. BCGSEU*), particularly because it concerns the assessment of a non-psychological construct – physical ability. However, the potentially broad impact of that decision is only now becoming clear.

In 1995 Tawney Meiorin was a forest firefighter employed by the B.C. Government. She lost her job when she failed to pass a component of a new fitness test – having to run 2.5 kilometres within 11 minutes. (At the time, she had already been on the job for three years.) The BCGSEU grieved the firing to an arbitrator, who ruled that Ms. Meiorin had established a prima facie case of adverse effect discrimination in that the test had a disproportionate impact on women as a group, and that the B.C.

Government did not show that Ms. Meiorin’s failure to meet the standard presented a safety risk, and consequently had not shown that it had accommodated her to the point of undue hardship. In 1997, the B.C. Court of Appeal reversed the arbitrator’s decision, arguing that there was no discrimination because the standard was necessary to the safe and efficient performance of the work and was applied through individualized testing. Finally, the Supreme Court of Canada reversed the B.C. Court of Appeal’s decision, siding with the arbitrator (and Meiorin) noting that the Court of Appeal had mistakenly understood from the arbitrator’s decision that the fitness standard was necessary, when in fact it had not been shown to be so.

Of particular interest is the rationale for the decision by the Supreme Court of Canada. They introduced a “three-step test” to determine whether a prima facie discriminatory standard was a bona fide occupational requirement (BFOR):

*First, the employer must show that it adopted the standard for a purpose rationally connected to the performance of the job. The focus at the first step is not on the validity of the particular standard, but rather on the validity of its more general purpose. Second, the employer must establish that it adopted the particular standard in an honest and good faith belief that it was necessary to the fulfilment of that legitimate work-related purpose. Third, the employer must establish that the standard is reasonably necessary to the accomplishment of that legitimate work-related purpose. To show that the standard is reasonably necessary, it must be demonstrated that it is impossible to accommodate individual employees sharing the characteristics of*

*the claimant without imposing undue hardship upon the employer.*

The Court concluded that the B.C. Government had met the first two steps. However, it had not met the third step, in that it had not shown that this standard was necessary to safely and efficiently perform the duties of the job, and consequently that applying a different standard would result in the employer experiencing undue hardship.

So, what does all this mean for I/O psychologists who are more comfortable talking about *reliability* and *validity* than *prima facie cases* and *undue hardship*? To find out, let's take a closer look at the test development work underpinning this fitness standard that Meiorin failed to meet. Based on the Supreme Court decision, it appears that a physical job analysis was conducted. That is, a formal analysis of the experiences of incumbent forest firefighters, various required physical tasks and their corresponding physical demands were identified. (I/O psychologists might compare a physical demand to a competency or a KSAO.) Tests were then developed to measure these physical demands. Finally, these tests were validated – e.g., test scores were found to positively correlate with measures of job performance. That is, there was predictive validity evidence for the tests.

The Supreme Court of Canada criticized the above process, on two points:

*First, it was primarily descriptive, based on measuring the average performance levels of the test subjects and converting this data into minimum performance standards. Second, it did not seem to distinguish between the male and female test subjects.*

Therefore, the Supreme Court does not appear to be criticizing the nature of the test (its content) so much as the way in which the cutoff score was set. It appears that the cutoff score was based upon the mean average test results of a sample of job incumbents. How this sample was chosen is not clear. For example, had the sample job incumbents been chosen because their job performance was just at the minimally acceptable level, one might conclude that their average test scores represented the minimally acceptable level of physical ability required to do the job. On the other hand, had the job incumbents been representative of the average firefighter, then their average score on the test might not be considered the minimally acceptable level of physical ability required to do the job. It appears that the latter was how the Supreme Court interpreted the evidence.

To the criticism that there was no distinguishing between male and female test subjects (an I/O psychologist might talk about evidence for differential validity), this is potentially problematic for any predictor other than a job tryout. For example, if a firefighter on the job is required to periodically drag a hose a specific distance, and there are no reasonable alternatives to doing so, and if applicants are assessed for this by actually having them perform the task (i.e., a mini-job tryout), then whether they are male or female is irrelevant. Having failed the mini-job tryout indicates that they cannot perform an essential part of the job. However, if the test is not a job tryout or simulation of same, but rather a proxy measure, such as a measure of one's aerobic capacity, then conceivably there could be differential validity for aerobic capacity as a predictor of job performance when comparing males to females. It appears that the test in question (2.5 kilometre run) was not developed as a simulation of an actual job

task, but rather as a measure of aerobic capacity, a proxy for task performance, and on that basis, it is conceivable that it could have differential validity for males versus females. It would be interesting to ponder what the Supreme Court's decision might have been had the test not been presented as a measure of aerobic capacity, but rather as a simulation of an actual part of the job.

It is also worth noting that the issue of differential validity has been raised before (albeit focusing on visible minority applicants and paper-and-pencil selection tests rather than female applicants and physical ability testing). The contention had been that employment tests were differentially valid for visible minority applicants versus majority applicants. However, the preponderance of research (e.g., Hunter, Schmidt, and Hunter, 1979; Schmidt, Pearlman, and Hunter, 1980) indicated that employment tests predicted equally well for both groups. In other words, evidence indicated that it was not necessary to establish the validity of the test for individual subgroups, as there was no observable variation in validity across groups. The Meiorin decision appears to raise the issue of differential validity anew.

So, what are the implications for I/O psychologists who are in the business of test development? Six potential implications are suggested. First, the Meiorin decision suggests that differential validity will become an increasingly important concern in the future. It appears that test developers may be called upon not only to show that tests are valid for job applicants as a whole, but for females, persons of a visible minority, Aboriginal persons, persons with a disability, and potentially all groups protected under human rights legislation as well (the Canadian Human Rights Act identifies 11 such groups). Aside from the sheer effort of

increasing validity research eleven-fold, there is also the challenge of accessing sample sizes for some of these groups big enough to conduct such validity analyses.

Second, the Meiorin case has raised the profile of a judicial/tribunal challenge in this country. The mantra, "It [judicial challenges] is happening in the States, and could happen here in Canada", can effectively be replaced by, "It is happening here in Canada", full stop. Job applicants (and employees – as in the Meiorin case) are increasingly aware of the rights given them by legislation and the courts' interpretations of same.

Third, the Meiorin case reminds us that the strategy for setting cut-off scores/passmarks must be as defensible as the content of a test itself. Although top-down selection is often suggested as a solution to this problem (and one with substantial utility gains – e.g., Cronshaw, 1986), employers sometimes hold the mistaken belief that every test must have a passmark, below which an applicant is not qualified and above which they are. (The reality, of course, is that most KSAOs fall on a continuum, where more is better, and strengths in one KSAO can compensate for weaknesses in another.) The Meiorin decision also appears to open the door to setting different passmarks for different groups (e.g., males versus females). Still, as long as we are called upon to set passmarks, we had better be prepared to justify them.

Fourth, the Meiorin decision emphasized that part of demonstrating that a standard is valid (i.e., that it is necessary to perform the job safely and efficiently), the employer has a responsibility to provide accommodation to protected group members. This could range from a small modification in testing procedure, such as providing a large print version of a test to a visually impaired applicant, to more large scale modifications,

such as providing job try-outs to individual applicants (instead of paper-and-pencil tests), and potentially even to redesigning jobs. The obligation to accommodate extends up to the point of “undue hardship” on the behalf of the employer (undue hardship appears to refer primarily to health/safety issues and/or efficiency issues). How much hardship is “undue” hardship remains subjective and open to broad interpretation by the courts and human rights tribunals.

On the issue of accommodation, there are some major questions left unanswered as a result of the Meiorin decision. For example, what prevents any candidate who fails an employment test, from alleging that he/she has a disability with respect to taking tests? In fact, failing the test would appear to confirm the disability. And if so, does this lead to the necessity to accommodate each such individual, to the point of providing a job tryout to any applicant who fails an employment test, short of undue hardship to the employer?

Fifth, there is a lesson in the Meiorin case with respect to introducing additional selection (maintenance) standards after someone is hired, and has a track-record of “satisfactory” job performance. It is little wonder that the Supreme Court saw a problem with using the results of a test that took all of 11 minutes to conduct to override the results of doing the actual job for 3 years (the length of time Meiorin was on the job before being tested). Had Meiorin’s job performance been the issue (and there is no indication in the Supreme Court decision that this was the case), then clearly it should have been addressed through performance management procedures (i.e., identifying performance goals, documenting performance, giving feedback to employees, providing remedial training, etc.) rather than

by adding a selection requirement retroactively.

Sixth and finally, because the Meiorin decision, and other court decisions more generally, impact the way in which I/O psychology is practiced in Canada, should the Canadian I/O psychology community be taking measures to influence such decisions. For example, should CSIOP (through CPA), or the Personnel Psychology Centre of the Public Service Commission, seek intervener status in cases such as Meiorin, to ensure that I/O psychology methods, principles, and research findings are understood and taken into account (For example, there is no indication in the Meiorin decision that the Supreme Court was aware of past research findings on differential validity with respect to employment testing)?

Eighteen years ago, the warning was issued, “The I/O profession should clarify these and other testing issues in a manner consistent with current theory and research before standards are arbitrarily imposed on the profession by human rights tribunals and courts” (Cronshaw, 1986). Have we waited too long?

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**CSIOP STUDENT NEWS**  
Melissa Warner  
University of Guelph

I hope everyone enjoyed the holidays and are off to a good start in the winter semester. I wanted to take this opportunity to remind everyone to renew your CSIOP and CPA memberships, which expired in December, and change your CSIOP membership status if you have recently graduated. I also want to encourage you to invite incoming students to join CSIOP if they have not already done so.

As for upcoming events, the 65<sup>th</sup> Annual CPA Convention is just around the corner (June 9<sup>th</sup> -12<sup>th</sup>) so I wanted to begin planning the student activities. Find more about the

conference in general at details at: <http://www.cpa.ca/convention.htm>. This year's locale of Saint John's, Newfoundland is sure to be a blast! I am sure we will have no shortage of local establishments to choose from for our social evening.

I want to get your feedback regarding possibilities for the student outing this year. I was a participant in last year's mentor outing and I think it was a great success. We had a mix of practitioners and academics and even though I was nearing the end of my Master's, I truly did learn a lot. The mentor outing is an opportunity to ask any questions you can think of relating to job prospects, a day-in-the-life kinds of questions, salary inquiries, and general questions relating to various avenues for recent grads of Canadian I/O Psychology programs. This will also give you a chance to meet other I/O Psychology students in Canada. Last year the students decided to go out afterwards and get to know other I/O students from all over Canada. It was really quite fun.

If the mentoring outing is something you are interested in, please email as soon as possible and we can begin to plan the details. If not, please email me with your comments and any other suggestions you may have for alternate social outing ideas. Also, we would still like your feedback regarding possible workshop topics. Please email me at [mwarner@uoguelph.ca](mailto:mwarner@uoguelph.ca) with topics or areas within I/O Psychology that you want to learn more about, which will make possible workshop topics for the CPA workshop. Last year over 50% of the attendees were students, so your feedback regarding this is especially valuable.

Good luck as the winter semester continues on and please feel free to email me at any time with questions, comments or concerns.

Your feedback regarding the conference is especially appreciated.

Melissa



**2004 CPA Convention  
Program Coordinator Report**  
*Derek Chapman, Ph.D.*  
*University of Calgary*

When I was first asked to put my name forward for the CSIOP Program Coordinator my immediate reactions were disbelief and abject terror. Having had little experience with CPA conferences, I felt very ill equipped to suddenly try to plan a portion of it. Fortunately, I had a lot of help and advice from more experienced people who gave me some excellent guidance and suggestions. Specifically, I would like to thank Gary Latham, Arla Day and Pat Rowe for their advice, and last year's coordinator, John Johnston, for sending me some useful files about how things have been done in previous years.

Although the bulk of the planning is complete, there is still much to do before June. I believe the program is shaping up to be an exciting one with many interesting presentations on the menu. Despite having to claw our way through an unfriendly and bug-ridden web-based submission process, we had a solid year for submissions this year with 42 poster submissions, 6 symposia, a theory review, 2 conversation sessions and a workshop. This level of interest is comparable to historic levels and more than double the number for Hamilton last year. I would like to thank our reviewers, Kibeom Lee, Kathleen Boies, Maria Rotundo, and

Camilla Holmvall who collectively conducted over 100 reviews for our program.

In addition to a robust refereed program, we have lined up some of the top talent available to address our membership. Dr. Tim Judge, one of the most published names in I/O Psychology today, is our invited keynote speaker. Dr. Judge holds the position of Matherly-McKethan Eminent Scholar, Department of Management, Warrington College of Business at the University of Florida and formerly taught at the University of Iowa and Cornell University. Among his many achievements include being awarded the Ernest J. McCormick Award for Distinguished Early Career Contributions, from the Society for Industrial and Organizational Psychology in 1995. In 2001, he received the Cummings Scholar Award from the Organizational Behavior Division of the Academy of Management. He has served as the program chair for SIOP and Division Chair for the Human Resources Division of the Academy of Management and has been elected a Fellow of both APA and SIOP. Dr. Judge also serves on the editorial boards of the *Journal of Applied Psychology*, *Personnel Psychology*, and *Organizational Behavior and Human Decision Processes*. Dr. Judge will be presenting a talk titled "Personality and Industrial-Organizational Psychology: From Enlightenment to Romanticism?"

We are very fortunate to have a second distinguished speaker this year, Dr. David Campbell. Widely known for his work on the Strong-Campbell Interest Inventory, Dr. Campbell is a scholar at the distinguished Center for Creative Leadership where he works and consults and conducts research on leadership-related topics with executives from around the world. Dr. Campbell has also written several prominent books on leadership. Dr. Campbell's talk will be "Leadership Within the Context of Life."

In addition to invited individual speakers, we have two invited symposia, including one headed by Gary Latham on ethical issues in I/O Psychology and a second one on leadership conducted by several members of the Center for Creative Leadership.

So mark your calendar for June 10-12 as an opportunity to get reacquainted with old colleagues, welcome new ones, hear some world-class speakers at the top of their field, and, of course, sample the famed hospitality, cuisine and nightlife of St. John's.

See you there!

Derek Chapman  
University of Calgary



**CPA 2004 Pre-Convention Workshop Update**

*Lisa Keeping, Ph.D.*  
*Wilfrid Laurier University*

I am excited to share with you our plans for the CSIOP Pre-Convention Workshop this year in St. John's. Richard Allon, Ph.D., C.Psych., will deliver the workshop, entitled, *Adapting Methodology in Clinical Psychology to the Work Setting: Cognitive-Behavioural Techniques to Improve Work Performance*. The session will present both research and practical applications of clinical techniques in organizational settings. The workshop will include:

- The application of cognitive-behavioural skills to self-management and managerial/leadership skills.
- Practical exercises in how to develop awareness of and monitor self-talk.
- Research on functional self-talk, self-management, and mental practice as applied in organizational settings.

- The role of self-talk in common behavioural concerns of business people, e.g., public speaking anxiety, anger management, stress management and self-control, creativity/productivity.
- Exercises in the application of cognitive-behavioural techniques to the workplace.

We are very fortunate to have Richard agree to share his expertise and experience with us. After beginning his career in hospital work, Dr. Allon has managed a successful consulting practice for over 20 years. As an organizational effectiveness consultant, he has worked with organizations in the financial services, manufacturing, IT, venture capital, and health care sectors as well as non-profits.

What I think is most exciting about this year's workshop is that the practical exercises and information presented can benefit participants on three levels. From an applied perspective, you will gain valuable knowledge and skills to help you produce results for organizational clients. From a personal perspective, you can apply the techniques discussed to improve your own career. Finally, from a research perspective, the workshop can provide you with ample knowledge to inform and stimulate new ideas.

Our intent is to keep the cost of the workshop the same as last year (Students - \$100, CPA Members - \$225, and Non-Members - \$275; all fees subject to 15% HST). As in past years the workshop will be designed for students, practitioners and researchers. I look forward to seeing you all at the workshop "on the Rock!"

Lisa



**Comments From The Editor**

*Sunjeev Prakash, M.Sc.  
RCMP, HR Research and Intelligence*

Happy New Year. I hope everyone had an enjoyable holiday. Somehow the break already seems far away and some of the conferences seem to be right around the corner. While you are preparing your final posters and presentations for the upcoming conferences, please remember that our Communications Coordinator, David Zweig has an electronic version of the CSIOP logo available. Several presenters made use of this logo last year and I hope the trend continues.

In local news, the Ottawa I/O Psychology Group (OIOPG) is continuing its series of talks after a break for the holidays. On January 30, Dr. Patrick McCoy from the Personnel Psychology Centre will be discussing the PPC's new online Written Communication Proficiency Test. In

February, there will be a panel discussion on competencies. The panel will be comprised of people from the RCMP, DND, HRDC and CCRA. March's presentation will be on an organizational performance measurement system in DND.

It was actually at an OIOPG meeting a few months ago that Gerry Gruber brought up the Meiorin case and the possible implications the decision would have. I'd like to thank Gerry for agreeing to write the article for this issue of the News Bulletin, and Jean-Pierre Thivierge for somehow finding the time in his very busy schedule to review an earlier draft. Your work input was appreciated.

The distribution list for the OIOPG is constantly growing. If anyone would like more information, or would like to be added to the distribution list, please contact me at [Sunjeev.Prakash@rcmp-grc.gc.ca](mailto:Sunjeev.Prakash@rcmp-grc.gc.ca).



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**Note:** The articles in this newsletter do not necessarily reflect the opinion of the Canadian Society for Industrial and Organizational Psychology.

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