

CHAPTER 9

APPLICATIONS, INTERVIEWS, AND BACKGROUND CHECKS

You need two basic ingredients for good service. You need good training, but before that, you need the right people. Don't bother hiring and training the wrong ones.¹

Nicholas Nickolas, restaurateur

CHAPTER OBJECTIVES

After completing this chapter, you will be able to

- Identify the purpose and value of a job application.
- Recognize the types of questions on a job application that may be illegal.
- Describe how a job application protects management's rights.
- Understand the importance of previewing a job application before inviting candidates for a personal interview.
- Identify various questioning techniques to be used during a job interview.
- Recognize areas of discussion during job interviews that are illegal.
- Identify the goals of a well-conducted job interview.
- Explain how to avoid charges of negligent hiring in the selection process.
- Define slander and libel.
- Explain the legalities of conducting a routine background check.
- Identify methods for conducting routine reference checks.
- List outside sources for conducting routine background and reference checks.
- Define employee bonding.

**HRM IN ACTION**

Almost everyone who is at least 18 years of age has first-hand experience with filling out a **job application** and sitting through a **job interview**. Have you ever wondered about what happens to that application when you leave it with the clerk at the front desk or with the host or hostess in the restaurant? Who is going to read it, how will that person decide which application warrants a closer look and perhaps an in-person interview, and which application should be rejected? When a job applicant is contacted to schedule a personal interview, how does management know which questions to ask, or, perhaps more importantly, which questions they are allowed to ask? How does management determine that a job applicant is right or wrong for a certain job simply by talking with him for only a few minutes?

It may surprise you to know that managers in some hospitality operations do a poor job qualifying potential employees. The reasons for this are as numerous and varied as the operations themselves. This is one of the primary reasons for the unusually high-employee **turnover rate** in the hospitality industry. One thing is certain: If we agree that matching the right applicant with the right position is fundamental to ensuring that we have a well-trained and motivated staff, capable of delivering high-quality products and services to our valued customers and guests, it's imperative that we do a much better job qualifying applicants.

THE JOB APPLICATION

Today's job application process does not even closely resemble that of a few years ago. In fact, in larger hospitality organizations, there may not even be an actual "form" for the applicant to complete in writing. Rather, the application process is automated and potential job applicants are required to fill out an "online application" via the organization's Web site—they don't even have to go to the facility to complete the application. Powerful computers then take over the screening process by sorting digital applications according to some pre-determined selection criteria, spitting out only those applications that contain key words or phrases that suggest an applicant might be a good match for a given position. In very large hospitality organizations, this automation streamlines the process and allows busy human resources professionals to focus their attention on other things.

This luxury of having the job application process automated is something that few smaller hospitality industry operations can afford. For these operations, requiring a potential candidate to complete a good old-fashioned application form by hand and go through the personal interview process is still the way to go. And that's okay because when properly executed, this is a system that still works very well. In addition, having a handwritten application form allows management to make judgments about an applicant's attention to detail, neatness, and other factors that may be important and relevant to specific positions.

TALES FROM THE FIELD

I just love those managers who do all the talking during a job interview. I usually just sit there, smile, nod my head, and agree with everything they say, and before you know it, I've been offered the job—and usually on my terms! I've even been offered a job right on the spot: no application, no interview, no reference check, nothing. How do they know that I can even cook or that I'm not a mass murderer or something? I mean, I didn't take the job because I knew I wasn't right for it, but I probably would have if I'd been desperate enough, at least until something better came along.

Carrie, 24, Louisville, Kentucky

A FACT-FINDING FORM

Although large hospitality organizations may customize their job applications with corporate logos and such, most forms are, for the most part, standardized. They may be purchased at office supply stores or even downloaded from the Internet via computer and then copied as needed by the organization. Most such forms have had a legal review, eliminating potentially illegal questions, but if management is unsure, it would be prudent to have the application form thoroughly reviewed by a local labor attorney.

A well-designed job application provides a fact sheet about each job applicant. The application is standardized in that it asks relevant and job-related questions such as name, address, phone number, type of job wanted, work history, education, special skills, references, and so forth. Figure 9.1 represents a typical job application form.

Personal Data All job application forms begin with a request for personal data. Requests for name, address, and telephone number are fairly universal. Some questions about an applicant's personal information, however, are considered inappropriate because of federal antidiscrimination laws such as Title VII of the 1964 Civil Rights Act. Questions regarding place of birth, race, religion, age, birth date, or national origin are good examples of the kinds of questions that may lead to a discrimination lawsuit. The ADA also prohibits questions related to a job applicant's medical history. In addition, privacy issues preclude asking for an applicant's social security number. If the applicant is later hired, however, then much of this information may be legally obtained.

APPLICATION FOR EMPLOYMENT

NAME: _____
(FIRST) (MIDDLE) (LAST)

ADDRESS: _____
(STREET/ PO BOX) (CITY) (STATE) (ZIP)

TELEPHONE: Home _____ Business _____ Cell _____

If hired, can you provide the necessary documents to verify that you are authorized to work in the U.S.? YES ☐ NO ☐

Are you 18 years of age or older? YES ☐ NO ☐

Do you have a valid driver's license? YES ☐ NO ☐ If yes, what state? _____

Number _____

WORK PREFERENCE AND QUALIFICATIONS

Position for which you are applying: _____

Types of office machines/computer programs able to use: _____

Typing Speed (WPM) _____

Please check language(s) you speak. ☐ English ☐ Spanish ☐ Other _____

Do you read and write this/these language(s)? YES ☐ NO ☐ If yes, please list language(s) _____

Do you wish to obtain a permanent position? YES ☐ NO ☐ Full-time ☐ Part-time ☐ Summer only ☐

	Names and Location of Schools Attended	Major Subject and/or Degree	Dates Attended
High School			
Junior College			
College/University			
Trade/Service School			

Figure 9.1 Sample application for employment with a simple disclaimer above the applicant's signature line.

List the names and addresses of all employers for at least the past 5 years, beginning with the most recent. **DO NOT INDICATE "SEE RESUME"**

DATES OF EMPLOYMENT AND SALARY RECEIVED		OCCUPATIONS	EMPLOYER INFORMATION
To:	Month/Year	Title:	Name:
		Duties:	Address:
	Month/Year		
Salary:			Telephone:
		Hours per Week:	Supervisor:
		Reason for Leaving:	Title:
From:	Month/Year	Title:	Name:
To:	Month/Year	Duties:	Address:
	Month/Year		
			Telephone:
Salary:		Hours per Week:	Supervisor:
		Reason for Leaving:	Title:
From:	Month/Year	Title:	Name:
To:	Month/Year	Duties:	Address:
	Month/Year		
			Telephone:
Salary:		Hours per Week:	Supervisor:
		Reason for Leaving:	Title:

May we contact the above employer(s)? YES ☐ NO ☐ If not, list which employers you would like us not to contact.

Do you have relatives employed with this company? YES ☐ NO ☐ If yes, specify name(s).

Have you ever been convicted of any offense other than a minor traffic violation? YES ☐ NO ☐ If yes, please explain, giving dates.

Have you ever been employed by this company? YES ☐ NO ☐ If yes, indicate dates of employment.

From _____ To _____

REFERENCES: (People who know you well, either personally or in business, who are not related to you.)

Name	Phone #	Title	Address	City/State/Zip

I hereby affirm that the statements made in this application are true to the best of my knowledge and belief. I understand that if this application is incomplete or false statements are made, I may be disqualified from subsequent employment with the company.

Date

Signature

Employment Status The job application form may also include some questions concerning the applicant's objective for employment and current job status. Questions concerning the position desired, the applicant's willingness to accept offers for other positions as well as her availability to start work, desired salary or wages, and whether she prefers part-time or full-time work and desired work schedule may also be posed in the job application form.

Education and Skills The education section of the employment application is designed to help identify the job applicant's abilities and skills. Traditionally, education has been a major criterion used to evaluate job applicants, but the importance of an applicant's education level has been somewhat diminished because businesses must now demonstrate how an applicant's level of education is job related and necessary for adequate performance on the job. For instance, an earned degree in accounting may be a BFOQ for the position of hotel **comptroller**, but do applicants for the position of dishwasher need a college degree? Would a qualified applicant for a dishwasher's position even need a high school diploma? Most likely, he or she would not. Questions about specific skills may also be used to judge an applicant's qualifications for a particular position. The skills section of the job application form is perhaps the most useful tool to help employers determine the suitability of a candidate for a particular job. Remember, too, that in some cases education and experience may be interchangeable. For instance, some job listings may ask for a B.S. degree and one year of industry experience, or three years of experience and two years of college.

Work History Typically, job applicants are asked to list their current as well as past employers, their titles and the positions held at each company, the duties and responsibilities required of each position, the contact information for each employer, reasons for leaving, and so forth. Normally, three to four years of job history will suffice; however, younger applicants are the exception because they may only have one year or less of actual work experience. This information is generally requested in reverse chronological order: The most recent job is listed first followed by the applicant's next most recent job, and so on. This format presents the employer with the most relevant job-related information first, and perhaps more importantly, this information provides the basis for much of the personal interview.

References Aside from requesting that an applicant provide traditional references from friends or previous employers, an application may sometimes request additional information to determine the suitability of a job applicant. These additional ques-

TALES FROM THE FIELD

A large hotel with a national chain opened recently in my city, and their human resources department conducted a one-day job fair on our campus. They made over 75 **conditional job offers** that day, and I was one of the 'lucky' ones to receive an offer. A few days later, though, the human resources director called me and revoked the job offer because I told a lie on my job application. I said I'd never had a criminal conviction even though three years before, I'd had a DUI. She told me that it wasn't the DUI conviction that necessarily ruled me out; it was the fact that I'd falsified my application. That was a hard lesson because I'll never be able to apply to that company again.

Korey, 22, Louisville, Kentucky

tions may explore circumstances such as the applicant's criminal record, credit history, and whether she has any friends or relatives who are currently employed by the same company, and even whether applicant was ever previously employed by the organization. Criminal record and credit history may be important considerations if the job involves handling cash or other valuables. It is important to note, however, that management must be able to substantiate that this information is job related so that there is no violation of equal employment opportunity laws or credit reporting laws.

Signature Line

Job applicants are almost always required to sign and date their applications. A blanket authorization commonly appears above the signature line, which allows management to check references and conduct a criminal records check and/or request a credit report if this information is job related. Some applications will also include an "at-will" statement to ensure that the job application may not be construed as an employment contract. See Figure 9.2 for an example of an employment application waiver and signature line.

Another common provision of the signature line is a statement that the applicant affirms that, to his or her knowledge, the information provided within the application is true and accurate. Although many job applicants give little or no thought to this clause, falsification of a job application is grounds for termination in most organizations.

PLEASE READ CAREFULLY

APPLICATION FORM WAIVER

In exchange for the consideration of my job application by _____ (hereinafter called “the Company”), I agree to the following:

Neither the acceptance of this application nor the subsequent entry into any type of employment relationship, either in the position applied for or any other position, and regardless of the contents of employee handbooks, personnel manuals, benefit plans, policy statements, and the like as they may exist from time to time, or other Company practices, shall serve to create an actual or implied contract of employment, or to confer any right to remain an employee of _____, or otherwise to change in any respect the employment-at-will relationship between it and the undersigned, and that relationship cannot be altered except by a written instrument signed by the President/General Manager of the Company. Both the undersigned and _____ may end the employment relationship at any time, without specified notice or reason. If employed, I understand that the Company may unilaterally change or revise their benefits, policies, and procedures and such changes may include reduction in benefits.

I authorize investigation of all statements contained in this application. I understand that the misrepresentation or omission of facts called for is cause for dismissal at any time without any previous notice. I hereby give the Company permission to contact schools, previous employers (unless otherwise indicated), references, and others, and hereby release the Company from any liability as a result of such contract.

I also understand that (1) the Company has a drug and alcohol policy that provides for preemployment testing as well as testing after employment; (2) consent to and compliance with such policy is a condition of my employment; and (3) continued employment is based on the successful passing of testing under such policy. I further understand that continued employment may be based on the successful passing of job-related physical examinations.

I understand that, in connection with the routine processing of your employment application, the Company may request from a consumer reporting agency an investigative consumer report including information as to my credit records, character, general reputation, personal characteristics, and mode of living. Upon written request from me, the Company, will provide me with additional information concerning the nature and scope of any such report requested by it, as required by the Fair Credit Reporting Act.

I further understand that my employment with the Company shall be probationary for a period of sixty (60) days, and, further, that at any time during the probationary period or thereafter, my employment relation with the Company is terminable at will for any reason by either party.

Signature of applicant _____ **Date:** _____

This Company is an equal employment opportunity employer. We adhere to a policy of making employment decisions without regard to race, color, religion, sex, sexual orientation, national origin, citizenship, age, or disability. We assure you that your opportunity for employment with this Company depends solely on your qualifications.

Thank you for completing this application form and for your interest in our business.

Figure 9.2

A detailed application form waiver that the job applicant would sign and date when submitting a completed application form.

ANALYZING APPLICATION FORMS

When a vacant position needs to be filled, initially, a hospitality manager will most likely quickly analyze any completed application forms currently on file. Applications, especially those for hourly positions, tend to “age” very rapidly. That is, applicants find work elsewhere and are no longer available. If there are an insufficient number of qualified applicants, based on this analysis, it may be necessary to place a help-wanted advertisement within the classified section of the local newspaper or to initiate some alternate recruiting method. Small hospitality operations should *always* accept job applications, even if they are unsolicited or there are no vacant positions at the time. It is indeed a rarity to find a small restaurant or lodging business that has all of the employees it will ever need!

When management reviews a job application, it tends to make a number of general observations about the applicant. These observations reveal a lot about a potential employee, and it is often this kind of application preview that allows managers to determine whether to extend an invitation to the job applicant to take the next step: to participate in an interview, in-person with the employer. Some experts suggest that the following questions should be considered when looking over a job application:²

- Does the applicant meet the minimum qualifications in the job specifications? If not, no further review is necessary.
- Is the application neat and clean—or messy, with erasures and misspellings?
- Did the applicant follow instructions?
- Is the handwriting acceptable for the job in question?
- Are there any omissions? These should be explored carefully.
- Does the signature match the handwriting? People who read and write poorly, or not at all, sometimes obtain an application, take it home, and have someone else fill it out for them. If literacy is a job requirement, require that applications be completed in person on-site.
- How long was the person employed in each previous job? If the length gets shorter with each job, the applicant may have a problem that is growing in intensity.
- Are there gaps in the applicant’s employment history that require further explanation?
- Do the responsibilities or job duties indicate a career that is improving, staying at the same level, or deteriorating?
- Do job choices indicate strong preferences for certain types of work?
- Do the reasons for leaving sound legitimate? Does the same reason occur? If so, this could indicate a problem.

PREPARING FOR THE JOB INTERVIEW

Once it has been determined that a personal interview should be scheduled with a particular applicant, it is always a good idea for management to review the application at least one more time in order to prepare for the actual interview. At this time, management should look for items that they may have in common with the applicant; this allows the manager conducting the interview to develop rapport with the applicant. This is also a good time to make notes about anything listed within the job application form that should be explored further during the interview. Keep in mind that any notes should be made on a

Résumé Mistakes

"Here are my qualifications for you to overlook."

"Education: College, August 1880–May 1984."

"Work Experience: Dealing with customers' conflicts that arouse."

"Develop and recommend an annual operating expense fudget."

"I'm a rabid typist."

"Instrumental in ruining entire operation for a Midwest chain operation."

Reasons for Leaving Your Previous Job

"Responsibility makes me nervous."

"They insisted that all employees get to work by 8:45 every morning. Couldn't work under those conditions."

"Note: Please don't misconstrue my 14 jobs as 'job-hopping.' I have never quit a job."

"Was met with a string of broken promises and lies, as well as cockroaches."

"I was working for my mom until she decided to move."

"The company made me a scapegoat—just like my three previous employers."

Personal Qualities

"I'm married with nine children. I don't require prescription drugs."

"I am extremely loyal to my present firm, so please don't let them know of my immediate availability."

"Number of dependents: 40."

"Marital Status: Often. Children: Various."

"I was proud to win the Gregg Typing Award."

Special Requests

"Please call me after 5:30 because I am self-employed and my employer does not know I am looking for another job."

Figure 9.3

Humorous mistakes that job applicants have made on resumes, applications, and during personal interviews. (Source: www.slinkcity.com.)

separate piece of paper rather than directly on the application, because it is a legal document that may be used by outside agencies, if the operation is ever faced with a lawsuit based on job discrimination.³ While management might assume that the job applicant would arrive for the interview thoroughly prepared, research and some anecdotal evidence suggest just the opposite. Figure 9.3 lists some funny mistakes that job applicants have made on their résumés, their job applications, and even during the job interview.⁴

THE JOB INTERVIEW

In spite of the increased use of technology to sort through and prescreen applications, for many managers and supervisors in the hospitality industry, the personal job interview remains the preferred way to learn about an applicant and to match the right applicant with the right position. This is true because the interview forum is flexible; it can be adapted to accommodate a meeting with various types of applicants—unskilled or skilled, managerial or professional employees. An interview provides the opportunity for a two-way exchange of information where interviewers learn about the applicant and the applicant learns about the organization. A skilled interviewer can also judge a candidate's interpersonal skills and appearance and can even possibly assess an applicant's honesty.

PROCESS IS A TWO-WAY STREET

While there is not an optimal way to conduct a one-on-one job interview, hospitality managers in small restaurant and lodging operations should remember that the interview should consist of an exchange of information between the employer and the job applicant—the process is a two-way street; however, it is important to remember that the applicant should do about 70 percent of the talking. Organizations interview prospective employees and prospective employees interview organizations to gather valuable information to help both parties make informed decisions following the completion of the interview. This in-person interview is particularly important today, because the demand for hospitality industry employees far exceeds the supply of qualified applicants in many communities. While the information included in an application is informative for the employer, meeting an applicant in person can be much more telling to the employer in terms of the applicant's body language, interpersonal skills, and personality.

**Photo 9.1**

Managers who conduct interviews should find a quiet place free from interruptions.

When conducting personal job interviews, management should set aside sufficient time for the meeting and designate a meeting place where there will be no interruption. Certainly a busy restaurant operation should not schedule a job interview during the lunch rush! Choosing the proper setting in which to conduct the interview will go a long way to ensure that the interview is professional and informative. It is also very important that the person conducting the interview puts the applicant at ease. The most effective and informative job interviews occur when applicants are able to let down their guards and be themselves, allowing their true personalities to shine through.

CONDUCTING THE INTERVIEW

There are four broad questions an interviewer typically has in mind as she conducts the actual interview with the applicant: Can the applicant do the job? Will the applicant do the job? How does the applicant compare with others who are being considered for the job? Does the applicant fit the organization and its culture?

**The Applicant
Should Do
Most of the
Talking**

Most seasoned interviewers suggest that a conversational tone be used throughout the interview process. The interviewer should control the topics discussed and the direction of the interview, but the applicant should set the pace for the discussion. It is unwise for the interviewer to begin with a full-blown description of the job and its duties. When this occurs, a clever applicant may easily tailor his answers to the organization's needs, and suddenly management will find itself in a situation like that described earlier in "Tales from the Field." In addition, when an inexperienced manager begins an interview in this manner, he often begins talking and sometimes does not know when to stop. While it is important to describe the job and its duties to the applicant to ensure the description is in line with the applicant's job expectations, it is more effective to do so later in the interview rather than earlier.

**Don't
Oversell the
Position**

It is very easy for a manager who is desperate to hire an employee to oversell the position to a particular applicant. It's important to avoid this tendency because it almost always leads to the new employee's disappointment with the actual position, and, consequently, higher employee turnover may occur. It is best to paint a very accurate picture of exactly what sort of tasks the position entails. For instance, some executive chefs are known to invite applicants into the hot kitchen during a busy lunch or dinner rush. If after 20 minutes or so, the chef turns around to find the applicant has high-tailed it out of there, it is better to know this now before wasting the time, money, and effort to bring the applicant on as a new employee only to have him or her leave after the first few days on the job. This process is called a "realistic job preview."

**Check for
Any
"Knockout
Factors"**

The initial phase of the interview is a good time to verify that the applicant meets the position's primary requirements. This might also be done over the telephone when setting up the interview appointment. For example, if an employer is trying to hire a cocktail server, he should verify that the applicant is of legal age to serve alcohol based on state laws. A specific, nonnegotiable job qualification such as a minimum age for serving alcohol is often called a **knockout factor**, and these should be verified before conducting an interview. It is also a good idea to verify the applicant's needs with respect to pay, benefits, working days and hours, his desire for part-time or full-time status, and so forth at this stage of the interview process. If it is determined, at this point, that the applicant does not fit the position requirements and there is no flexibility, politely end the interview and move on to the next candidate.

CLOSED-ENDED AND OPEN-ENDED QUESTIONS

A crucial mistake that novice interviewers make time and time again is to talk too much and not listen enough to what the applicant has to say. Remember, your goal, as the employer, is to find out whether the applicant is a good fit for the open position. That means that the interviewer must retain control of the interview at all times. The interviewer should also focus his or her questions on one major area at a time. For example, thoroughly cover work history before moving on to education and so forth. Different questioning techniques should be used to best acquaint yourself with the applicant. **Closed-ended questions**, or *direct* questions, generally lead to short, yes-or-no-type answers and are good questions to ask at the beginning of the interview as you are getting a feel for the applicant's demeanor and skills. These types of questions are also useful in obtaining specific bits of information such as, "Did you report directly to the hotel's general manager or to some other person?" Other examples might be as follows:

INTERVIEWER: *I see you worked as a server for two years at the Casa Restaurant downtown. Is that correct?*

APPLICANT: *Yes.*

INTERVIEWER: *How many covers would you say the restaurant served during a typical lunch period?*

APPLICANT: *Between one hundred and one hundred and fifty.*

Closed-ended questions often begin with words such as *what*, *who*, *where*, *which*, *when*, and *how many*. A skilled interviewer will often follow a closed-ended question with an **open-ended question**. These types of questions are sometimes referred to as *indirect* questions and are designed to draw a lengthier and more detailed answer from the applicant. The majority of questions asked should be of the open-ended variety, as these will require the applicant to talk more. Consider the following example:

INTERVIEWER: *You state in your application that you did a lot of tableside preparation and service in your job at the Casa Restaurant. Tell me about the types of tableside prep and service you personally provided.*

APPLICANT: *Yes, it was mostly French-style service: steak Diane, Caesar salads, cherries jubilee, and dishes like that.*

INTERVIEWER: *Could you describe to me the steps you would take to prepare a Caesar salad, tableside?*

APPLICANT: *Sure. First I would assemble the ingredients in the cold prep area, and then I . . .*

Other open-ended questions may require the applicant to list items (What things did you like best/least about your current or previous job?) or to make comparisons (How did working for the general manager at hotel A compare with your previous job, working for the manager at hotel B?). Once the applicant begins to respond, it is important for the interviewer to listen actively. He or she should avoid the temptation to interrupt or to pick right up where the applicant leaves off. Note taking, while important, may also interfere with the active listening process. Sometimes a long, silent pause will be sufficient to encourage the applicant to continue talking. This technique allows skilled interviewers to learn a good deal about job applicants.

SITUATIONAL AND BEHAVIORAL QUESTIONS

Posing **situational questions** is another technique that some interviewers use. This type of question presents a hypothetical situation to the applicant, which enables the interviewer to evaluate the applicant's answer based on his or her approach and solution to the hypothetical situation. A good example of this style of questioning is as follows:

INTERVIEWER: *Imagine that it's a busy night in the restaurant and everyone is in the weeds. The restaurant is one server short, and one of your customers is very angry because he has been waiting for more than 40 minutes for his food. When you go into the kitchen to check on his order, the line cook tells you that the item ordered was eighty-sixed earlier in the evening and that they had forgotten to write it down. You know your customer is going to be irate when you go back out into the dining room to deliver the bad news. Tell me how you would handle this situation in such a way that the customer does not leave dissatisfied?*

Some interviewers like situational questions such as this because they believe they are useful in assessing an applicant's reasoning and analytical abilities under a modest amount of stress. Others argue that using hypothetical or "what if"-type questions may only lead the applicant to provide the answer that he thinks the interviewer wants to hear, and there is no way of knowing if a person would *actually* respond in the way stated.

When the interviewer poses **behavioral questions**, the applicant is asked to describe an *actual occurrence* that may have happened on the job, in an educational setting, or even during an activity that occurred during an outside-of-work activity. An example is "Tell me about your most recent experience in a dysfunctional group." Questions such as this are almost always followed up with more probing questions, which allow the interviewer to focus on key aspects of the an-

swer. For instance, the interview may follow up with questions such as, “What was your role in turning the group around?” or “Was the group successful? Why or why not?” It is important to remember that any questions asked should help the manager decide if the applicant meets the behavioral dimensions being sought, such as friendly, service oriented, and so forth.

HOW LONG SHOULD THE INTERVIEW LAST?

Often, inexperienced managers and supervisors wonder how much time should be allotted to the interview process. There is no perfect answer here, but most experts agree that whatever amount of time is necessary in order to thoroughly cover an applicant’s background is appropriate. This may range from 20 minutes to several hours, depending on the level of the job and the experience of the applicant.

QUESTIONS TO AVOID

It is important to keep in mind that certain areas of questioning are simply off-limits on both the job application form and during the job interview. Application forms and job interviews have traditionally been used as instruments for eliminating “unsuited” or “unqualified” candidates from consideration. Unfortunately, in some instances, organizations have been found to use them to restrict or deny employment opportunities to some ethnic groups, religious sects, and so forth, and lawsuits have resulted. Whether intentionally discriminatory, some of the questions asked on job applications and during interviews have the potential to leave a hospitality business vulnerable to legal charges of unlawful discrimination. The courts generally assume that the questions a particular employer poses will be used for the sole purpose of helping it to make informed hiring decisions. It is for this reason that all questions must be job related, and the hospitality organization should be prepared to defend itself in court if the questions are challenged as discriminatory. Figure 9.4 details the kinds of questions that should be avoided on both job applications and during a job interview.

As you have already learned in Chapter 2, Title VII of the Civil Rights Act of 1964 makes it illegal to discriminate in employment matters based on an individual’s race, color, religion, sex, or national origin. Title I of the ADA makes it illegal for an employer to discriminate against an individual based on disability. The Age Discrimination in Employment Act (ADEA) prohibits employment discrimination against any person aged 40 and over. And, of course, there are also numerous state and local laws that either duplicate or expand upon these

MARITAL STATUS	
Inappropriate:	Are you married? Is this your maiden or married name? With whom do you live?
Appropriate:	After hiring, marital status on tax and insurance forms is allowed.
PARENTAL STATUS	
Inappropriate:	How many kids do you have? Do you plan to have children? Are you pregnant?
Appropriate:	After hiring, asking for dependent information on tax and insurance forms is allowed.
AGE	
Inappropriate:	How old are you? What year were you born? When did you graduate from high school?
Appropriate:	Before hiring, asking if the applicant is over the legal minimum age for the hours or working conditions, in compliance with state or federal labor laws. After hiring, verifying legal minimum age with a birth certificate or other ID, and asking age on insurance forms.
NATIONAL ORIGIN	
Inappropriate:	Where were you born? Where are your parents from? What's your heritage?
Appropriate:	Verifying legal U.S. residence or work visa status is allowed.

Figure 9.4

Appropriate and inappropriate interview questions, according to Title VII of the 1964 Civil Rights Act. (Source: U.S. Equal Employment Opportunity Commission.)

RACE OR SKIN COLOR	
Inappropriate:	What race are you? Are you a member of a minority group?
Appropriate:	Generally indicate equal opportunity employment. Asking about race only as required for affirmative-action programs.
RELIGION OR CREED	
Inappropriate:	What religion are you? Which religious holidays will you be taking off from work? Do you attend church regularly?
Appropriate:	Contact religious or other organizations related to an applicant's beliefs, if applicant listed them as employers or references is allowed.
CRIMINAL RECORD	
Inappropriate:	Have you ever been arrested? Have you ever spent a night in jail?
Appropriate:	Questions about convictions by civil or military courts, if accompanied by a disclaimer that states it will not necessarily cause loss of job opportunity. Specific convictions, if related to fitness to perform the job, is allowed. Generally, employers can ask only about convictions and not arrests, except for law-enforcement and security-clearance agencies.
DISABILITY	
Inappropriate:	Do you have any disabilities? What's your medical history? How does your condition affect your abilities?
Appropriate:	Ask if the applicant can perform specific duties of the job with or without accommodation. After hiring, ask about medical history on insurance forms.

federal laws. To stay on the right side of the law, the National Restaurant Association suggests that employers ask themselves these questions:⁵

1. Is the information being sought job related? Is it needed to judge the applicant's competence or qualifications for the job? Is it a valid predictor of successful job performance?
2. Will the answer to the question tend to eliminate minorities, people with disabilities, people over age 40, or members of one sex, either intentionally or unintentionally? Will the answer disqualify a significantly larger percentage of members of one particular group more than others?

THE JOB OFFER

The final hiring decision, or extending a job offer to a particular applicant, marks the end of the employee selection process, assuming the job applicant accepts the position being offered. In an effort to maintain good public relations, small hospitality operations should always notify applicants who have not been accepted, either in writing or by phone. A job applicant should never be hired on the spot, no matter how desperate the employer is to fill a position. Time must be allocated to evaluate all qualified applicants against one another and to conduct a proper background check. A conditional job offer may be made contingent upon the employee successfully passing a background and reference check, but management must make it clear that the job offer can and will be withdrawn if the employee doesn't successfully pass the background and/or reference check. This process may cause the applicant to cease his search for a job, raising the probability that he will be available to work for your organization.

THE ACT OF THE EMPLOYEE

Respondeat superior is a Latin phrase that means, "Let the master answer." It is a legal doctrine that means that the act of the employee is the act of the employer. This means that you, the employer, can be legally responsible for your employees' actions, so long as those actions are conducted within the scope of employment. The kind of conduct that is or is not considered "within the scope of employment" can be somewhat confusing even for the courts and the lawyers to sort out. Suffice it to say, you could find yourself on the wrong side of a lawsuit if your employee causes someone harm or injury during the workday at your establishment. A restaurant operator could be held liable if

ethical dilemma

Eric manages a small yet very successful family-owned restaurant. This afternoon he is interviewing applicants for the position of dining room hostess. He is stunned when he sees his three o'clock appointment arrive: She is a beautiful blonde with a stunning figure and a dazzling smile. He would love to ask this woman out for a date, and she isn't wearing a wedding band, but still, he can't be sure whether she is married or perhaps dating someone special. Even though he knows it's improper, he wonders if he should try to find out more information during the interview. He could actually ask her if she is married or if she has kids. He may even be able to work in her "dating" status if he's careful. The applicant doesn't seem all that old or sophisticated, so she will probably not even know the difference, if he takes his time and works his questions into the normal course of the interview. If Eric proceeds with his plan, which of the *10 Ethical Principles for Hospitality Managers* may be violated here? If Eric wants to make an ethical decision, what factors must he consider? Depending upon Eric's choice, what will be the consequences for him? For the applicant? For the restaurant?

a delivery driver employed by the restaurant causes an automobile accident. A lodging operator could be liable if a bellhop with access to a hotel passkey steals a guest's belongings from a hotel room or, even worse, enters a hotel room and somehow harms or injures someone. Whether the employee's actions are simply the result of an accident or are actually premeditated does not really matter. The law can be quite narrowly construed with respect to respondeat superior.

A Tennessee Waffle House restaurant was sued when a waitress, who got angry at a customer, threw a syrup bottle at the customer, hitting him squarely in the head and causing harm and injury. In a North Carolina case, a Taco Bell customer sued the restaurant chain when the customer discovered that a kitchen employee had spit on his food before serving it. The customer was a state trooper, and the guilty employee later claimed that he "just did not like cops." Sometimes employees just go a little nuts, and they do things that management would never foresee, actions that are certainly not "on their job descriptions." The point here, however, is to try eliminating these problems in advance, and while we'll see that there are never any guarantees, there are things we can do to head off such incidents at the pass.

BACKGROUND CHECKS

For many jobs, preemployment screening is required by either federal or state law. For example, most states require criminal background checks for anyone who works with children, the elderly, or disabled. The federal **National Child Protection Act** authorizes state officials to access the FBI's National Crime Information Center (NCIC) database for some positions. Many state and federal government jobs require a background check, and depending on the kind of job, may require an extensive investigation for a security clearance. Since the terrorist attacks of September 11, 2001, the current emphasis on security and safety has dramatically increased the number of employment background checks being conducted nationwide. While there are no laws at this time *requiring* hospitality industry employees to undergo background checks, many of the larger hotel and restaurant chains do conduct preemployment drug screening as well as criminal background checks on prospective employees. Many smaller operations are likely to find this process too time-consuming and expensive and have thus far managed to get by without having to dig too deeply into prospective employees' pasts. Most employers are becoming more cautious, however, so this could change as access to computer databases becomes more available and more affordable.

A background check can consist of something as simple as telephoning a former employer to check an applicant's job references, or it may be more in-depth and include an investigation of the potential employee's history and acquaintances. Figure 9.5 illustrates some of the potential information that might be covered in a background check. Note that many of these sources are public records created by government agencies.

WHY CONDUCT BACKGROUND CHECKS?

Employers check potential and current workers for several reasons. The things an employer wants to know about an applicant can vary with the kinds of jobs that the applicant might be seeking. Here are a few of the reasons for employment screening.

- *Negligent hiring* lawsuits are on the rise. If an employee's actions hurt someone, the employer may be liable. The threat of liability gives employers reason to be cautious in checking an applicant's past. A bad decision can wreck havoc on a company's budget and reputation, as well as ruin the career of the hiring official. Employers no longer feel secure in relying on their instinct as a basis to hire. The concept of negligent hiring was thoroughly covered in Chapter 3.

INFORMATION THAT MAY BE OBTAINED	NOTES
Driving records	This is normally allowed if driving a vehicle is job related.
Social security number	Allowed for payroll records after the employee has been hired or, if needed, to conduct a criminal records check.
Bankruptcy	Records may be obtained if an applicant will handle large sums of cash.
Past employers	Past employers may be contacted in order to determine work history, salary history, reason for leaving, and so on. Many past employers give little information for fear of being sued.
Education records	Transcripts from schools may be requested if education is job related.
Military records	These may generally be obtained, but the information used must be job related.
Credit records	The applicant must give his or her written permission, and the information obtained must be job related. An example is an applicant will handle large sums of money.
Criminal records	These and other court records are generally public (with the exception of juveniles), and the information obtained, if used to deny employment, should be job related. Example: You would not have to offer a position of valet parking attendant to an individual convicted of grand theft auto.
Drug test records	Preemployment drug screening is allowed and the information obtained—if positive—is generally sufficient to deny employment.

Figure 9.5

Information that may be obtained when management conducts a routine background check on a job applicant.

- *Current events* have caused an increase in employment screening.
- *Child abuse and child abductions* in the news in recent years have resulted in new laws in almost every state that require criminal background checks for anyone who works with children. The move to protect children through criminal background checks now also includes volunteers who serve as coaches for youth sports activities and scout troop leaders.
- *Terrorist acts of September 11, 2001* have resulted in heightened security and identity-verification strategies by employers. Potential job candidates and long-time employees alike are being examined with a new eye following September 11, 2001.
- *Corporate executives, officers, and directors* now face a degree of scrutiny in both professional and private life that was foreign to them before the Enron debacle and other corporate scandals of 2002.

- *False or inflated information* supplied by job applicants is frequently in the news. Some estimates are that 30 to 40 percent of all job applications and résumés include some false or inflated facts. Such reports make employers wary of accepting anyone's word at face value.
- *The "information age"* itself may be a reason for the increase in employment screening—the availability of computer databases containing millions of records of personal data. As the cost of searching these sources drops, employers are finding it more feasible to conduct background checks.

It is important to remember that many states have enacted legislation that restricts, to a certain degree, the kind of information that an employer may access during a background check. In California, criminal histories or "rap sheets" compiled by law enforcement agencies are not public record. Only certain employers such as public utilities, law enforcement, security guard firms, and child care facilities have access to this information. This is not true in all states, however, so the prudent hospitality business manager will always consult legal counsel when setting up a system to prescreen job applicants.

At the federal level, the **Fair Credit Reporting Act (FCRA)** sets some guidelines that govern the type of information that can be collected during a background check, but this is mostly financial information that is found in most people's credit reports. Information such as bankruptcies, tax liens and judgments, civil suits and judgments, accounts in collection, and account or debt write-offs are examples of the types of information that is in some way restricted by the federal government.

OBTAINING THE APPLICANT'S PERMISSION

In some situations, management must first obtain the applicant's permission and often a signature before obtaining certain background records. Examples include the following:

- *Education records.* Under federal law, transcripts, recommendations, discipline records, and financial information are confidential. A school should not release student records without the authorization of the adult-age student or parent. However, a school may release "directory information," which can include name, address, dates of attendance, degrees earned, and activities, unless the student has given written notice otherwise.
- *Military service records.* Under the federal **Privacy Act**, service records are confidential and can only be released under limited circumstances. Inquiries not authorized by the subject of the records must be made under the **Freedom of Information Act**. Even without the applicant's consent,

the military may release name, rank, salary, duty assignments, awards, and duty status.

- *Medical records.* In many states, medical records are confidential. There are only a few instances when a medical record can be released without the applicant's knowledge or authorization. The FCRA also requires the applicant's specific permission for the release of medical records. If management, however, requires physical examinations after making a job offer, they will have access to the results. The ADA allows a potential employer to inquire only about the applicant's ability to perform specific job functions and specifically prohibits health questionnaires and physical examinations before an actual job offer is made.

If you hire an outside company to do a background check on a job applicant or current employee, the FCRA requires that you do each of the following:

- Get written permission from the individual for the background check.
- Get permission on a separate document.
- Get special permission if medical information is requested.
- Give notice of the individual's right to ask about the nature and scope of the report, if the report will include interviews with others.
- Give notice and a copy of the report *before* an adverse employment decision is made.
- Give notice of rights and procedures to dispute inaccurate or incomplete information.

You must also remember that some state laws are stricter than the federal law, in which case the employer should follow the stricter law.

MANY EMPLOYEES HAVE SKELETONS IN THEIR CLOSETS

InfoLink Screening Services, a California company that conducts background checks for employers, found that 8 percent of the people they investigated had criminal convictions. The crimes included forgery, robbery, possession of stolen goods, assault with a deadly weapon, welfare fraud, larceny, hit-and-run, dealing cocaine, grand theft auto, check fraud, aggravated battery, sexual assault, burglary, and attempted murder. InfoLink sorted out the data and found that some workers were more likely to have rap sheets than others:⁶

- Food services, 12.4 percent
- Automobile dealers, 12.1 percent
- Retail, 11.7 percent

- Transportation, 10.7 percent
- Business services, 10.2 percent
- Manufacturing, 9.8 percent
- Hospitality, 8.6 percent
- Staffing, 8.5 percent
- Construction, 8.1 percent
- Finance, 6 percent
- Health care, 5.7 percent

WHO PERFORMS BACKGROUND CHECKS?

There are many companies that specialize in employment screening. The most important thing to keep in mind is that companies conducting background checks fall into several broad categories. These categories can range from individuals commonly known as “private investigators,” to companies that do nothing but employment screening to online data brokers. Large hospitality operations that employ large numbers of people may have an established relationship with a third-party background-checking company or may even use an affiliated company for their employment screening. Other background-checking companies may work on a less formal basis with employers. With the information age upon us, it is easy for employers to gather background information themselves. Much of it is computerized, allowing employers to log on to public records and commercial databases directly through dial-up networks or via the Internet. Finding one of these online companies is as easy as using Internet search engines to find Web sites that specialize in “background checks.” Employers should beware of companies advertising on the Internet that they can “find everything about anyone.” They are not necessarily going to be in strict compliance with federal and state laws, especially the provisions that require accuracy of background check reports. A small business owner who establishes a relationship with a reputable screening company has much to gain. Figure 9.6 illustrates the type of criteria that should be considered when searching for a company to conduct background checks on prospective employees.

WHO SHOULD BE CHECKED?

Deciding who to check can be tricky, and it often depends upon the size of the company and the particular position for which the company is hiring. As stated earlier, many large hotel and restaurant organizations do routine preemploy-

The following is criteria to consider when contracting a background-check company:

- Follows the FCRA and applicable state and laws.
- Gives you guidance about your responsibilities as a user of consumer reports.
- Provides forms to obtain permission and gives the required notice to the applicant or employee.
- Provides forms and guidance if you are faced with an “adverse action” decision.
- Meets its obligations to provide the individual access to reports and to his or her file.
- Follows required procedures for investigating inaccurate information.

Figure 9.6

Criteria to consider when choosing an outside firm to process background checks on job applicants.

ment drug tests and criminal background checks on *all* applicants to whom they intend to offer a job. It would not make sense, financially, to prescreen every single applicant, but certainly those who the company intends to offer specific jobs to would be good candidates for screening. Where there may be fees involved, the employer almost always pays; otherwise, it could be deemed illegal discrimination to not hire those who are unable to afford the drug and criminal background screening fees.

While it is probably best for small operations to also screen all job candidates, this is often out of the reach, financially, for small lodging establishments and restaurants. Certainly any employee who will have access to either private company financial information or sensitive employee information would be a good candidate for screening. Employees who are responsible for large sums of money, such as bookkeepers, managers, and cashiers, may also be good candidates. Many operations require that such employees be bonded. This means that the organization has actually purchased an insurance policy on the employee, and the organization would be reimbursed by the insurance company if the employee steals or somehow misappropriates company funds.

Because of high instances of negligent hiring lawsuits, more and more hospitality operations are screening employees who are required to drive for a company business, as well as employees who have high levels of customer contact, such as hotel bellhops, maids, room service waitstaff, and delivery drivers, who may be required to enter a customer’s home.

REFERENCE CHECKS

Reference checks may be as simple as a brief telephone call to an applicant's former employer to verify facts such as date of employment, salary, and job title. Reference checks limited to such factual information are generally relatively easy to accomplish. Perhaps you feel that the position you are hiring for requires that the applicant be a team player. Can you ask a former boss if the applicant fits the bill? You can ask almost anything you like, but questions such as these are designed to elicit an *opinion* rather than facts; you should know that most businesses—large or small—are going to be very reluctant to provide such information. Many companies fear a lawsuit based on libel or slander, so information about a previous employee's job performance, work ethic, attendance at work, attitude, and other job-related criteria that are important to you when you need to make a hiring decision are often extremely difficult to get.

Figure 9.7 illustrates the types of questions you may want to ask when calling a job applicant's previous employer(s) to check references. Just remember, you may or may not be successful in obtaining much valuable information.

SHOULD I GIVE REFERENCES ON A PREVIOUS EMPLOYEE?

As a manager or a supervisor in a hospitality operation, you too could be sued if you provide opinions about previous employees that are not factual and, perhaps more important, not defensible in court. Consider this scenario: You receive a call from a restaurant manager requesting an employee reference on John Smith. John Smith worked as a busboy at your restaurant for two months. You terminated this employee because one of your servers accused him of stealing her tip off of a table one busy Saturday night. There were no witnesses to this alleged crime, but you took the server's word over that of the busboy, and you didn't care much for the busboy's attitude anyway. When you fired the busboy, you simply told him that even though he was still on a 90-day probationary status, you did not feel he was going to work out. What will you tell the restaurant manager about this former employee?

1. That he stole a server's tip?
2. That he had a bad attitude?
3. That he didn't work out?

SAMPLE REFERENCE CHECK QUESTIONS

- When did (name) work for your company? Could you confirm starting and ending employment dates? When did he or she leave the company?
- Why did (name) leave the company?
- What was (names) starting and ending salary?
- What was (names) position? Can you describe the job responsibilities?
- Could I briefly review (name's) resume? Does the job title and job description match the position that (name) held?
- Did (name) miss a lot of work? Was he or she frequently late? Were there any issues you are aware of that impacted (names) performance?
- Did (name) get along well with management and coworkers?
- Was (name) promoted while with your company?
- Did (name) supervise other employees? How effectively? If I spoke to those employees, how do you think they would describe (name's) management style?
- How did (name) handle conflict? How about pressure? Stress?
- Did you evaluate (name's) performance? Can you speak about the strong and weak points? What was noted as needing improvement during this performance review?
- What was (name's) biggest accomplishment while working for your company?
- Would you rehire (name) if the opportunity arose?
- If I describe the position we are hiring for to you, could you describe how good a fit you think (name) would be for the position?
- Is there anything I haven't asked that you would like to share with me?

Figure 9.7

Sample questions that may be asked when checking a job applicant's previous employment references.

If you chose answer one, be prepared to go to court. This is an *opinion*, not a fact. Considering there were no witnesses and considering that you chose *not* to prosecute the busboy, it would be very difficult to provide evidence of reason one if you are sued and have to go to court. Perhaps you think that two is a safe response. Think again! How exactly does one *define* a bad attitude? Did the busboy curse at the customers and staff? Did he merely grumble on occasion about his schedule? Clearly, a *bad attitude* can mean different things to different people, and as a manager or a supervisor, it is best to avoid such generalizations when giving references for a former employee. How about response three?

This may seem to be the safest response of the three options, but even here you may be treading on thin ice. This type of reference gives a negative connotation and may indeed prevent the busboy from finding employment, in which case you could be sued for slander. One bit of good advice when giving references on former employees: only say what is factual, objective, and easily proven or defended in court.

SUMMARY

- When hospitality managers do a poor job of screening job applications and conducting job interviews, the result is often costly employee turnover.
- It is essential to match the right applicant with the right job in order to attract and retain a quality workforce.
- Most job application forms are standardized fact-finding forms on which applicants provide basic information such as personal data, employment status, education and skills, work history, and references.
- A signature line that the applicant must sign affirms that the applicant has provided true and accurate information.
- One-on-one job interviews are the most effective way of matching the right applicant with the right position.
- Antidiscrimination laws on the local, state, and federal level restrict certain lines of questioning both within the job application and during the job interview.
- Interviewers should put job applicants at ease and ask a variety of closed-ended, open-ended, and behavioral-style questions during the personal interview.
- Too much talking and not enough listening is one of the primary mistakes that novice interviewers make when conducting job interviews.
- Hospitality managers could be sued for negligent hiring if they fail to conduct a routine-background check on a newly hired employee and that employee later causes harm or injury to a guest or to another employee.
- Large hospitality enterprises have been conducting routine-preemployment drug screening and criminal background checks on prospective employees for many years, but smaller operations are often less likely to do so, primarily because of a lack of funds, time, or both.
- The kind of information that can be obtained legally when conducting a background check on a job applicant is largely regulated by both federal and state laws.
- The prudent hospitality operator will always seek qualified counsel when designing a policy so as to avoid any civil liability.

**PRACTICE
QUIZ**

1. In order to avoid charges of illegal discrimination, companies that require preemployment drug screening should pay the fee on behalf of those being screened.
A. True B. False
2. All hospitality organizations, large and small, should customize the job application forms because each business is specific and unique.
A. True B. False
3. A job applicant's educational background is always job related, so this area should be explored in detail on every job application, regardless of the position.
A. True B. False
4. Behavioral questions are normally hypothetical, or "what if" questions.
A. True B. False
5. Job applicants should sign and date the application form, affirming that the information they have provided is true and accurate.
A. True B. False
6. Which of the following questions on a job application would likely be considered discriminatory and, therefore, illegal?
A. Are you of legal age to serve alcohol in this state?
B. Are you pregnant or do you intend to become pregnant?
C. Are there any specific days or hours of the day that you cannot work?
D. Can you perform the essential functions of the job with or without accommodation?
7. When previewing a job application, which of the following questions should management consider when determining whether the applicant might make a suitable candidate?
A. Is the application neat and clean, or messy with erasures and misspellings?
B. Did the applicant follow instructions when filling out the application?
C. Are there any gaps in employment or omissions on the application?
D. All of the above.

8. Which federal law requires that schoolteachers and camp counselors undergo certain background checks before being hired?
 - A. Americans with Disabilities Act
 - B. Privacy Act
 - C. National Child Protection Act
 - D. Free Credit Reporting Act
9. Questions that normally elicit a short, uninvolved answer are called
 - A. Open-ended questions
 - B. Closed-ended questions
 - C. Rhetorical questions
 - D. Behavioral questions
10. The Age Discrimination in Employment Act prohibits employment discrimination against any person who is
 - A. 25 years of age and over
 - B. 30 years of age and over
 - C. 35 years of age and over
 - D. 40 years of age and over

**REVIEW
QUESTIONS**

1. List and discuss some of the steps that managers should take when preparing to conduct job interviews. How do these steps facilitate the interview process and help management achieve its goals? Be specific and use examples from the lecture and the textbook to support your answers.
2. Give two or three examples of closed-ended and open-ended questions that could be used during a job interview. How does each of these questions allow management to learn more about the applicant? What are some advantages and disadvantages of each type of question? Be specific and use examples from the lecture and the textbook to support your answers.
3. Conduct an Internet search and identify two or three different companies that conduct background and reference checks on prospective employees. What kinds of services does each of the company's provide? Would some of the provided services be more suitable to the hospitality industry than others? Be prepared to share your findings with the rest of the class.
4. Assume you are a hotel front-office manager who is interviewing an applicant for the position of front-desk clerk. Write one or two behavioral questions, including two or three follow-up, probing questions for each. An example of a behavioral question might be this: "Tell me about a time when you helped an employee in understanding a difficult policy?" An example

of a follow-up, probing question might be this: “What did you do or say that helped?” Be prepared to present your questions to the rest of the class and to explain how such questioning techniques aid the manager when conducting a job interview.

5. Working with a classmate, telephone two or three large hospitality operations in your area and interview the human resources director. Specifically, you would like to know what kinds of information the facility is allowed to provide when a potential employer calls to check the references of a previous employee. Interview the owner or manager of two or three small, independent operations. What kinds of information do these individuals normally provide with respect to the preceding text. How do the larger operation and the smaller operation compare? What are the benefits of providing limited information on previous employees? Are there any drawbacks and, if so, to whom? Be prepared to share your findings with the rest of the class.

HANDS-ON HRM

Jake Albertson is an American who manages a small but luxurious inn on a Caribbean island off the coast of Puerto Rico. The inn’s business is mostly seasonal, attracting high-end travelers from the United States beginning around Thanksgiving until late spring. Mr. Albertson employs a small, year-round staff that is mostly made up of island locals, but he boosts his hiring considerably during the busy season, and he prefers to hire American college students because of their superior English skills. In order to make the inn’s hiring package attractive, American students are provided free round-trip airfare as well as basic accommodations located on site. They are paid a reasonable weekly salary, and the inn provides all employee meals that are free of charge.

Albertson has made most of his hiring decisions for the upcoming tourist season, but he still needs to hire a qualified bartender for the inn’s busy outdoor bar and verandah. One afternoon, Mr. Albertson receives a phone call from Louise Guggenheim of Boston, the inn’s wealthy owner. Mrs. Guggenheim informs Albertson that a friend’s niece, Julie, would like to “come down” and “help out” for the season. When Mr. Albertson makes it clear that he is looking for someone who is properly qualified and has previous bartending experience, Mrs. Guggenheim states, “Anybody can bartend, Jake.” “And besides,” she adds, “a good-looking girl behind the bar should help increase revenues.” She promises to fax Julie’s résumé and transcripts right away.

Jake Albertson is less than impressed after reading Julie’s résumé. Her major in college is fashion design, and not only are her grades below aver-

age, but also her work experience includes only six months as a retail store clerk in a large department store chain. A few days later, Albertson receives a very well-written cover letter and résumé from Bert Roberts, a 23 year old who has just graduated from a hospitality school in New England and has been working as a bartender in an upscale, New York City hotel for the past two years. He decides to e-mail Bert Roberts so that they can arrange a convenient time to conduct an initial telephone interview, and just as he logs on to the computer in his office, the phone rings and it is Mrs. Guggenheim. “My friend’s niece is coming down on the first plane tomorrow. I told her you had a job for her.”

QUESTIONS

1. If the general manager decides to hire Bert Roberts, who is more qualified instead of Julie, how should he deal with Mrs. Guggenheim?
2. As the manager of a privately owned, family business, how should Jake Albertson balance the needs of the business with the needs of the owner when both sets of needs are in conflict with each other?
3. How would this situation be different if there was not a shortage of qualified labor on the Caribbean island?
4. Do Mrs. Guggenheim’s perceptions of what qualifies an individual to work at the inn differ with those of Jake Albertson? If you answered yes, should Albertson attempt to change her perceptions? Why or why not?

KEY TERMS

Job application A standardized form on which job applicants provide personal data, work preferences, work history, educational background, and references.

Job interview A face-to-face session in which an interviewer and applicant discuss job position, job expectations, background, and work history so that the interviewer can determine if the applicant is a good match for the position.

Turnover rate A comparison of the number of employees who have separated from an organization with the number of employees in the organization; usually expressed as a percent.

Comptroller A position in large hotels (may also be referred to as “controller”) that oversees the hotel’s accounts payable, accounts receivable, cash accounting, and payroll systems.

Conditional job offer A job offer made that is contingent upon the employee successfully passing a background and reference check, but management must

make it clear that the job offer can and will be withdrawn if the employee doesn't successfully pass the background and/or reference check.

Knockout factor The lack of specific, nonnegotiable job qualifications that may deem a job candidate as unsuitable for a specific position. An example would be an underage applicant who has applied for a position to serve alcohol.

Closed-ended questions Questions that typically lead to short yes-or-no-type answers. They are effective for quickly covering ground at the beginning of the interview.

Open-ended questions Questions that often begin with “how” or “why” and that are intended to draw a more lengthy and detailed response from the applicant.

Situational questions Situational-type scenarios that are designed to gauge how an applicant would respond to certain situations that could occur in the workplace. These are often hypothetical or “what if” questions.

Behavioral questions Questions that require the job applicant to describe an actual occurrence, such as, “Tell me about your most recent experience with an irate customer.”

Respondeat superior A Latin term that means, “Let the master answer.” It refers to a legal doctrine stating that the act of the employee is the act of the employer.

National Child Protection Act A federal law that, among other things, requires teachers, day school workers, and others who are involved with children to undergo routine-background checks.

Fair Credit Reporting Act (FCRA) A consumer protection law that regulates the disclosure of consumer credit reports by consumer/credit reporting agencies and establishes procedures for correcting mistakes on one's credit record. The law also covers many areas of routine employee background checks.

Privacy Act A federal statute that forbids the disclosure of specific material held by federal agencies on the grounds that its release could invade the privacy of the subject of the report or document.

Freedom of Information Act A federal statute that allows any person the right to obtain federal agency records unless the records (or part of the records) are protected from disclosure by exemptions contained in the law.

NOTES

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3. *Ibid.*, 68.
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