

# Pre-Employment Psychological Evaluation Guidelines

Ratified by the IACP Police Psychological Services Section

Denver, Colorado, 2009

## 1. Purpose

- 1.1. The IACP Police Psychological Services Section developed these guidelines for use by public safety agencies and individuals who are charged with the responsibility of conducting defensible pre-employment psychological evaluation programs.

## 2. Limitations

- 2.1. These guidelines are not intended to establish a rigid standard of practice for pre-employment psychological evaluations. Instead, they are intended to reflect the commonly accepted practices of the Section members and the agencies they serve.
- 2.2. Each of the guidelines may not apply in a specific case or in all situations. The decision as to what is or is not done in a particular instance is ultimately the responsibility of each hiring agency and psychologist.
- 2.3. Nothing in these guidelines should be construed to discourage scientific research, innovation, and/or use of new techniques that show promise for helping hiring agencies identify, screen, and select qualified candidates. Hiring agencies and psychologists who choose to use these practices may wish to consult with legal counsel to assess the potential liability exposure.
- 2.4. These guidelines are written to apply to agencies within the jurisdiction of the U.S. and, as such, may require modification for use by agencies in other countries.

## 3. Definitions

- 3.1. For the purpose of these guidelines, a pre-employment psychological evaluation is a specialized examination of an applicant's psychological suitability for a public safety position. These positions include, but are not limited to, positions where incumbents have arrest authority or the legal authority to detain and confine individuals.
- 3.2. Psychological suitability includes, at a minimum, the absence of job-relevant mental or emotional conditions that would reasonably be expected to interfere with safe and effective performance.

- 3.3. Under the terms of the Americans with Disabilities Act<sup>1</sup> (ADA) a procedure or test that seeks information about an individual's physical or mental impairments or health, or that provides evidence that would lead to identifying a mental disorder or impairment, is a "medical examination." Therefore, a pre-employment psychological evaluation constitutes a medical examination.
- 3.4. A pre-employment psychological evaluation may include procedures or tests that are not medical in nature (i.e., designed and used to measure personality traits, behaviors, or characteristics such as judgment, stress resilience, anger management, integrity, conscientiousness, teamwork, social competence). However, these non-medical procedures alone would not constitute a complete pre-employment psychological evaluation since they do not include the required elements specified in 3.2 and 3.3.
- 3.5. The ADA plays an important role in the timing of when the evaluation can be performed in the hiring process. Under the ADA, the use of medical inquiries or examinations may occur only after (a) the hiring agency has obtained and analyzed all relevant non-medical information which it reasonably could have obtained and analyzed, and (b) the applicant has been given a conditional offer of employment.

#### **4. Examiner Qualifications**

- 4.1. Evaluations should be conducted by licensed doctoral-level psychologists, except where otherwise permitted by law, with expertise in clinical psychological testing and assessment, as well as in personnel evaluation using measures of normal personality characteristics, skills and abilities. Psychologists should also be trained and experienced in psychological evaluations for public safety positions, in particular.
- 4.2. Psychologists should be familiar with the research literature available on psychological testing for public safety positions. Psychologists should also be familiar with employment law impacting the conduct of pre-employment psychological evaluations, including but not limited to the ADA, or other federal and state laws applicable to the practitioner's jurisdiction. Psychologists should consult with legal counsel when appropriate.
- 4.3. Psychologists must adhere to ethical principles and standards for practice in their jurisdiction.

#### **5. Job Analysis**

- 5.1. Information about duties, powers, demands, working conditions, and other job-analytic information relevant to the intended position, should be obtained by the psychologist before beginning the evaluation process. This

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<sup>1</sup> Please see the Equal Employment Opportunity Commission's Enforcement Guidance, *ADA Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations*, at [www.eeoc.gov/policy/docs/preemp.html](http://www.eeoc.gov/policy/docs/preemp.html).

information should be directed toward identifying behaviors and attributes that underlie effective and counterproductive job performance.

- 5.2. The psychologist should consult with the hiring agency to establish selection criteria and the agency's level of acceptable risk for problematic behaviors.

## 6. Disclosure

- 6.1. Prior to the administration of any psychological instruments and interview, the psychologist and/or hiring agency should disclose information to the applicant that includes: (1) the nature and objectives of the evaluation, (2) the intended recipients, (3) that the hiring agency is the client, (4) the probable uses of the evaluation and the information obtained, (5) who will have access to the information, and (6) the limits of confidentiality.
- 6.2. The disclosure should be documented in writing and signed by the applicant.

## 7. Testing

- 7.1. **Use:** A written test battery, including objective, job-related psychological assessment instruments, should be administered to the applicant. Test results should be available to the evaluator before the interview is conducted.
  - 7.1.1. The licensed psychologist should always retain responsibility to verify and interpret all psychological test results.
  - 7.1.2. Tests should be administered, scored, and interpreted according to the publisher's recommendations and consistent with established test administration standards.
  - 7.1.3. Test scales, profiles and reports used for selection purposes should be produced using appropriate, current software or scoring keys licensed by the publisher of the test.
- 7.2. **Validity:** Written assessment instruments should have validation evidence for use with public safety applicants.
  - 7.2.1. Tests should have a substantial research base for interpretation with normal range populations in general, and public safety applicants in particular. Validation evidence should be consistent with *Principles for the Validation and Use of Personnel Selection Procedures*.<sup>2</sup>
  - 7.2.2. Specific cut-off scores should be used only when there is adequate statistical evidence that such scores are predictive of personality or

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<sup>2</sup> Please see the *Principles for the Validation and Use of Personnel Selection Procedures*, 4th Edition, August 2003, at <http://www.siop.org/Principles/principles.pdf>

mental health problems that are detrimental to job performance. If cut-off scores are used, the psychologist should acknowledge their use and be prepared to provide the justification for using the specific cut-off level.

7.2.3. New or emerging psychological instruments may be added to a battery to develop the requisite norms and validation, but should not be used for decision-making by the evaluating psychologist during the data gathering process.

7.3. **Security:** The psychologist should make provisions for the security and confidentiality of all testing materials (e.g., test booklets/items) including materials presented electronically. Provisions should also be made for the security of, access to, and retention of the psychological reports and raw data, including information stored or transmitted electronically.

## 8. Interview

8.1. Individual, face-to-face interviews with applicants should be conducted before a final determination of the applicant's psychological suitability is made.

8.2. A semi-structured, job-related interview format should be employed with all applicants.

8.3. Interviews should allow for sufficient time to cover appropriate background, test results verification and clinical assessment.

## 9. Background Information

9.1. Information regarding the applicant's relevant history (e.g., school, work, interpersonal, family, legal, financial, substance use, mental health) should be collected and integrated with psychological test and interview data. When available, relevant information from the background investigation and polygraph examination should be shared with the psychologist.

9.2. If relevant to psychological suitability, health records should be obtained from treating healthcare professional(s) for review before a final determination is made of the applicant's suitability. When such records are unavailable, consideration should be given to deferring the suitability determination until the health record can be reviewed or the basis for the concern is otherwise resolved.

9.3. When background investigation findings are not provided to the psychologist in advance of the evaluation, it is desirable for the psychologist to communicate with designated hiring agency staff, prior to making a final suitability determination, to compare and reconcile information obtained from the applicant. In all cases, substantive discrepancies between information obtained in the psychological evaluation

and other stages of the hiring process should be reviewed thoroughly with the hiring agency before a final hiring decision is made.

## **10. Reports**

- 10.1. The hiring agency administrators directly involved in making employment decisions should be provided with a written report of the psychologist's evaluation. The report should contain, at a minimum, a clear determination of the applicant's psychological suitability for employment based upon an analysis of all psychological assessment material, including background information, test data and interview. Any agency-specific restrictions or other requirements relevant to the format or content of the psychological report should be communicated to the psychologist in advance of the evaluation.
- 10.2. Ratings and/or recommendations for employment based upon the results of the evaluation should be expressly linked to the job-analytic information referenced in paragraphs 5.1 and 5.2.
- 10.3. While a clinical assessment of overall psychological suitability should be made, clinical diagnoses or psychiatric labeling of applicants should be avoided unless relevant to the psychologist's conclusion, necessary for the hiring agency to make an employment decision, and/or required by law. In all cases, the evaluation should be focused on an individual applicant's ability to safely and effectively perform the essential functions of the position under consideration.
- 10.4. Conclusions concerning an applicant's qualifications should be based generally on consistencies across data sources rather than a single source; psychologists should justify exceptions to this guideline.
- 10.5. Additional information, including ratings, recommendations, justifications for the recommendation and/or rating, reservations that the psychologist might have regarding the validity or reliability of the results, and other elements required by law in the hiring agency's jurisdiction, should be disclosed on a need-to-know basis, in consultation with the hiring authority.
- 10.6. The report should clearly state the period of time for which the evaluation is considered valid. In the absence of a legally prescribed limitation, reports should be valid for no longer than one year from completion of the evaluation.
- 10.7. The written report provided to the agency should be securely maintained in accordance with applicable regulations.

## **11. Use of the Evaluation**

- 11.1. Efforts should be made to inform the hiring agency's administrators about the strengths and limitations of pre-employment psychological evaluations.
- 11.2. Pre-employment psychological evaluations should be used as one component of the overall hiring process.
- 11.3. Care should be taken when using pre-employment test results for purposes other than making pre-employment decisions.
- 11.4. The hiring agency should not use the pre-employment evaluation for promotional evaluations or for positions not expressly considered by the psychologist at the time of the evaluation.

## **12. Follow-Up**

- 12.1. Continuing collaborative efforts by the hiring agency and evaluating psychologist should be made to assess the accuracy of the final suitability determination. Follow-up data should be collected in accordance with strict confidentiality provisions protecting individual applicant identities and in accordance with ethical research guidelines and the law.
- 12.2. The psychologist and/or hiring agency should evaluate whether final suitability ratings have an adverse impact on protected classes of candidates.
- 12.3. Psychologists should be prepared to defend their procedures, conclusions, and recommendations if a decision based on psychological evaluation results is challenged.

## **13. Appeals and Second Opinions**

- 13.1. Hiring agencies that permit second-opinion evaluations as part of an appeal process should require that these psychological evaluations be based upon the same criteria used for the initial psychological evaluation.