



Human Resources
Professionals
Association

Employment Law Exams

AGENDA

- What
- Why these exams?
- Who must write these exams?
- Which exam should I write?
- What is the difference between the two exams?
- When will the exams be administered?
- How much will the exams cost?
- What do the exams look like?
- And more...





What are we talking about?

- There are two exams:
 - The CHRP Employment Law exam
 - The CHRL Employment Law exam
- Passing these exams is now a requirement for obtaining the CHRP and CHRL designations
- The ability to apply employment and workplace legislation to everyday HR situations

Is it 'jurisprudence' or 'employment law'?



- Initially, these exams were called the 'jurisprudence exams,' but for the sake of plain language, we now call them the 'Employment Law Exams'
- Instead of calling them the 'Employment Law 1' and 'Employment Law 2' exams, we call them the "CHRP Employment Law exam' and the 'CHRL Employment Law Exam'

Why these exams?



- The ability to apply employment and workplace legislation to everyday HR situations is an essential ability
- Everyone—the Legislature, employers, employees—expects HR professionals to understand and apply employment and workplace law correctly
- Although an essential ability that everyone expect HR professionals to have, for some reason it was never a component of our certification processes,, until now

Protection of the Public

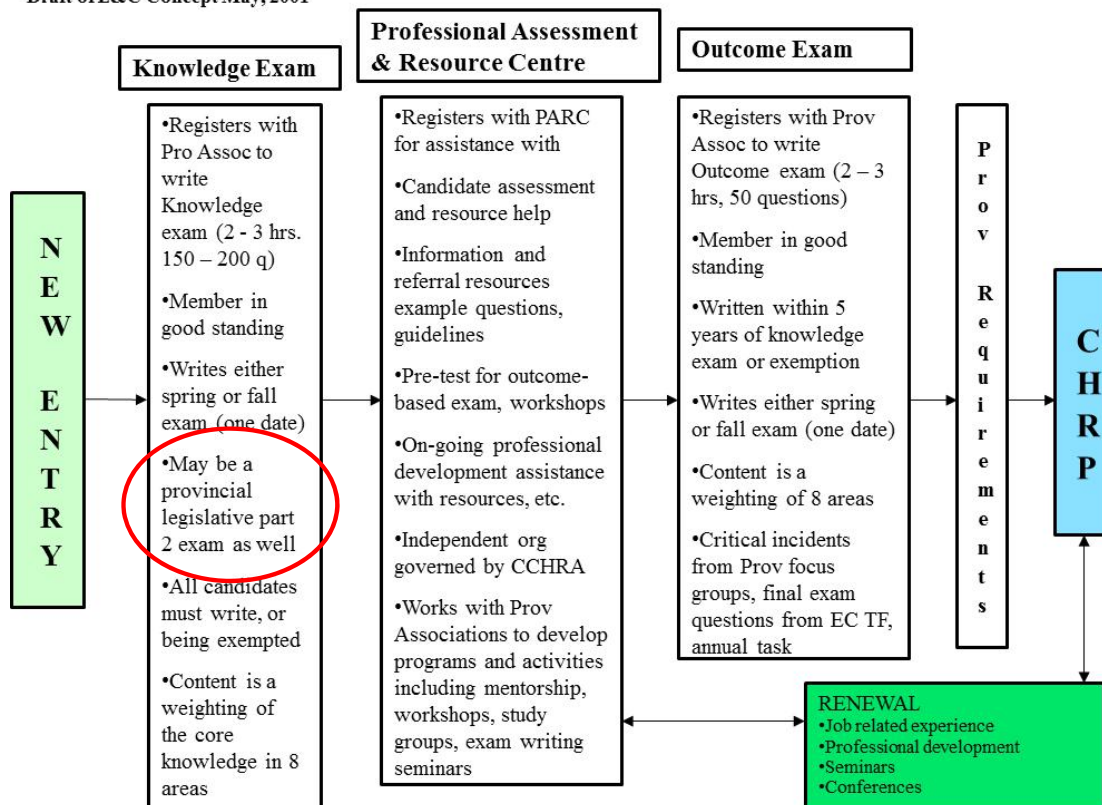


- The purpose of certification is to protect the public by ensuring that individuals who are certified by the Association are qualified (i.e., competent and ethical)
- When HR professionals mis-apply employment and workplace law, this creates risk for the public and for users of the professional service
- One approach to the design of a jurisprudence exam is to focus on those areas that create the most risk to the public and users of professional HR services
- The simple idea was to ask employment lawyers where HR professionals seem to be making mistakes in their application of employment and workplace law

Montreal Framework 2001



Draft of E&C Concept May, 2001





Who must write the exam?

- Individuals who are currently pursuing the CHRP and have passed the Comprehensive Knowledge Exam 1 (CKE 1) as of June of 2016 will be required to pass the CHRP Employment Law exam. To be eligible to write this exam, you must have passed the CKE 1.
- Individuals who are currently pursuing the CHRL and have passed the Comprehensive Knowledge Exam 2 (CKE 2) as of June of 2016 will be required to complete the CHRL Employment Law exam. To be eligible to write this exam, you must have passed the CKE 2.



Which exam should I write?

- If you are pursuing the CHRP designation and have passed the CKE 1, you need to pass the CHRP Employment Law exam
- If you are pursuing the CHRL designation and have passed the CKE 2, you need to pass the CHRL Employment Law exam



How are the exams different?

- Same format, same number of questions, same test blueprint but they will have independent standard setting processes, which means that the cut-score might not be the same. The cut-score is determined after the exams are administered so we don't know the cut-score at this time.

When will the first administration of the exam be?



Registration Deadline	August 29, 2016
Withdrawal Deadline	September 9, 2016
Exam Date	September 17, 2016

Next administration after this will be early in 2017—it will be a computer-based administration

How much does it cost to write the exam?



- The fee for the Employment Law exams is \$200 + HST, **however, for the first administration of the exam in September 2016, we have an introductory fee of \$125 + HST.**

How long are the results good for?

- 10 years





Where will the exams be offered?

- In the same places where the CKE 1 and CKE 2 were offered
- Starting in 2017, all HRPA exams will be delivered via computer-based testing. More to come about the migration to computer-based testing soon.
- Exam be offered three times in 2017.

How do I register?

- The exam registration page will be available right after the CKE 1 and CKE 2 exam results are posted
- July 20, 2016



What do the exams look like?



- Understanding how the exams were developed explains a lot about the content and format of the exam

Guiding principles



- There were two guiding principles in the development of the Employment Law exams
 - Focus on the application of employment and workplace law rather than 'knowledge'
 - Focus on those aspects that matter—where the lack of ability to apply employment and workplace legislation to everyday HR situations creates the most problems

Employment law exams

1. Construct definition
2. Domain definition
3. Develop question prototype
4. Proof of concept
5. Item writing
6. Exam assembly
7. Exam review
8. Standard setting



Construct definition



- The ability to correctly apply knowledge of employment and workplace law to typical situations HR professionals where such knowledge is called into play

Domain definition



- Although all knowledge of employment and workplace law is within the domain, those parts of the domain failure poses more risk to the public are more important
- Situation-response pairs

Critical Incident Technique



- A set of procedures for collecting direct observations of human behaviour in such a way as to facilitate their potential usefulness in solving practical problems and developing broad psychological principles (Flanagan, 1954)
- By an incident is meant any specifiable human activity that is sufficiently complete in itself to permit inferences and predictions to be made about the person performing the act

Critical incident interviewing



- Purpose is to collect incidents
- What was the situation or context?
- What did the HR professional do that was critical to the outcome?
- What happened from there?

50 lawyers



- Sounds like the punchline for a joke
- We thought 10 to 15 lawyers would agree to talk to us, but all were incredibly helpful and forthcoming
- 15-minute phone interviews, although some interviews went on for double that amount of time
- All interviews were transcribed

Content analysis



- 228 incidents were collected
- The incidents were coded for content based on issue
- There was a great diversity in the topics, but a few came up over and over again
- Frequency table

Top 10 situations



1	Termination pay, termination notice, termination with or without cause and pay in lieu of notice	70%
2	Mental health or physical disabilities that deal with the duty to accommodate	55%
3	Contracts and employment agreements	45%
4	Discriminatory grounds such as family status, age, marital status, etc... that deal with the duty to accommodate	32%
5	Forgetting that Common law principles also apply	32%
6	Dealing with Harassment and violence in the workplace	26%
7	How to properly interpret the <i>Employment Standards Act, 2000</i>	21%
8	Severance pay entitlements	19%
9	Vacation time, vacation pay and bonuses	19%
10	Continuation of benefits to employee after termination	19%

Preliminary exam blueprint



- Scenario item format
- Multiple-choice response format
- Not a situation judgment test (SJT)
- There must be one, and only one, correct answer, not a matter of judgment, or preference

A prototype question



Sally is an employee of XYZ Life Insurance Company (XYZ Co.) and has been frequently missing work. Janet has scheduled their annual performance review meeting. At the meeting, Janet tells Sally that she has been absent more than the allotted personal days allowed. Sally reveals to Janet that she has been suffering from a mental health issue. What is the appropriate course of action for Janet to take?

- a. Discipline Sally for her frequent absences from work
- b. Accommodate Sally because she is suffering from a mental illness
- c. Immediately terminate Sally for frustration of contract
- d. Put her on a Performance Improvement Plan

Proof of concept



- Good idea, but will it work?
- Only one way to find out
- Pilot with 50 individuals who currently hold the CHRL designation
- Restriction of range needs to be kept into consideration
- Gives an indication of where current CHRLs are at
- Gives an indication as to what kinds of questions work best

Result



- It works!
- Domain is unidimensional (measuring one thing—this one thing is the ability to apply knowledge of workplace and employment law to given situations)
- We also know that the exam needs to be about 100 questions long

Final blueprint



- Based on what was learned, a final exam blueprint was developed
- For now, the two exams will share the same blueprint
- The blueprint for the exam is posted on the HRPA website
- The prototype exam will also be posted on the HRPA website

Final blueprint

- 100 questions
- 3-option multiple choice
- Can be multiple questions based on same scenario
- Full exam blueprint published on HRPAs web site



Not a Situational Judgment Test



- A Situational Judgment Test (SJT) is a type of question where the 'correct' answer is based on what an expert panel has deemed to be the best response
- In these exams, there is one and only one correct option

Standard setting



- Standard setting is done after the exam is developed and involves judgements by a panel of subject matter experts—the methodology is called ‘the Angoff panel’
- The CHRP Employment Law exam and the CHRL Employment Law exam may be similar in content but the cut-scores will be different



When will we get the results?

- Same time frame as the CKE 1 and CKE 2—that is, 6 to 8 weeks after the exam
- Exams are on September 17, 2016
- The standard setting panels are convened after the exam
- The results would be available sometime between October 28 and November 11, 2016

How should I study for the exam?



- The exam does not cover new ground
- Employment and workplace law was always part of the coursework requirement. Some HR programs do have a separate employment law course whereas other HR programs have chosen to distribute different aspects of workplace and employment law in their relevant functional area courses.

Books used to verify answers



Common Law and the Regulation of Work (2016)

David Doorey

Emond Montgomery Publications

Employment Law for Business and HR Professionals (3rd ed.)

Kathryn J. Filsinger

Edmond Montgomery Publications

Labour and Employment Law Cases, Materials and Commentary (8th ed.)

Compiled by a group known as the Labour Law Casebook Group

Irwin Law

Human Resource Guide to Workplace Investigations

Janice Rubin and Christine M. Thomlinson

Canada Law Book

Questions

