



# PHR<sup>Q&As</sup>

Professional in Human Resources

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### QUESTION 1

The Americans with Disabilities Act of 1990 identifies an individual with a disability, as a person who has one or more of the following characteristics except for which one?

- A. Has a record of such impairment that substantially limits one or more major life activities
- B. Is regarded as having such impairment that substantially limits one or more major life activities
- C. Is believed by employers that an individual having a physical or mental impairment substantially limits one or more major employment activities
- D. Has a physical or mental impairment that substantially limits one or more major life activities

Correct Answer: C

The basis of an individual with a disability is not left to the interpretation of the employer so this choice is incorrect.

Answer options D, A, and B are incorrect. These are valid statements based on the definitions provided in the Americans with Disabilities Act of 1990.

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### QUESTION 2

An organization would like to hire a 15-year old for some duties in their business. Which one of the following rules would be breaking the requirements of the child labor provisions of the FLSA?

- A. Non-school hours only
- B. 4 hours per school day
- C. 8 hours in a non-school day
- D. 18 hours per school week

Correct Answer: B

Employers are only allowed to employ 15 year olds, a maximum of three hours per school day, not more.

Answer option A is incorrect. A 15-year old may work only in non-school hours. Answer option C is incorrect. A 15-year old may work no more than eight hours on a non-school day. Answer option D is incorrect. The maximum a 15-year old may work is 18 hours per school week.

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### QUESTION 3

As an HR Professional, you must sometimes terminate employees from your organization. When an employee is terminated, there must be a just cause or a good cause for the termination. Which one of the following is not a valid just cause for the employee's termination?

- A. Whether the employee is a member of a protected class



- B. Whether the employee was warned in advance
- C. Whether the rule has been applied consistently
- D. Whether reasonable "proof" of the violation existed, or was obtained through investigation

Correct Answer: A

The membership of a protected class should have no bearing on a good cause for termination. Answer options B, D, and C are incorrect. These are examples of just cause of termination.

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#### QUESTION 4

Sexual harassment is a form of sex discrimination and it is illegal in the US based on what law?

- A. Title VII of the Civil Rights Act of 1964
- B. ADA and Rehabilitation Act of 2008
- C. ADEA of 1967
- D. Fair Labor Standards Act of 1958

Correct Answer: A

Title VII of the Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, or national origin.

Answer option D is incorrect. The Fair Labor Standards Act of 1958, also known as the Equal Pay Act, prohibits sex-based wage discrimination.

Answer option C is incorrect. ADEA of 1967 prohibits discrimination in employment on the basis of age (40 years or older).

Answer option B is incorrect. Americans with Disabilities Act (ADA) and Rehabilitation Act of 2008 make important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of

EEOC's ADA regulations.

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#### QUESTION 5

You are completing a Form I-9 with a newly hired employee. Which one of the following documents is not allowed as a proof of identity and employment eligibility for the newly hired employee?

- A. Driver's license
- B. Expired US passport
- C. Certificate of naturalization
- D. Unexpired reentry permit

Correct Answer: A



A driver's license is a document that is acceptable to establish identity, but it is not acceptable as a document that confirms eligibility of employment.

Answer options B, C, and D are incorrect. An expired US passport, certificate of naturalization, and unexpired reentry permit are legitimate documents for the proof of employment eligibility and for identity.

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#### QUESTION 6

Sally is an HR employee for her company. She is primarily interested in serving only in an organizational role where she focuses on creating HR policies and procedures. What is the limitation Sally may subject herself to, if she focuses only on the organizational role?

- A. She'll only be involved in the organization's strategic planning efforts.
- B. She won't be involved in the organization's strategic planning or change efforts.
- C. Her organizational impact will be limited to identifying problems, creating policy initiatives, and launching HR programs.
- D. Her organizational impact will be limited to promoting employee performance.

Correct Answer: B

HR professionals who restrict themselves to just one quadrant of the HR Impact Model often limit their effectiveness as an HR Professional. In this instance, Sally won't contribute to strategic planning and change efforts.

Answer option A is incorrect. Sally won't be involved in the strategic planning efforts. Answer option D is incorrect. Sally's focus won't be on employee performance, but on policies. HR Professionals who focus on programs and processes

promote employee performance. Answer option C is incorrect. HR Professionals should also be involved in the programs and processes quadrant of the HR Impact Model to help promote new programs and processes.

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#### QUESTION 7

OSHA may inspect a workplace at any time. The purpose of these inspections is to maintain safety for all workers. OSHA has established five priorities for workplace inspections. Which one of the following statements is the correct order of most important OSHA priorities to least important OSHA priorities?

- A. Imminent danger, planned inspections in high-hazard industries, employee complaints, catastrophes and fatal accidents, follow-up inspections
- B. Imminent danger, catastrophes and fatal accidents, planned inspections in high-hazard industries, employee complaints, and follow-up inspections
- C. Imminent danger, catastrophes and fatal accidents, planned inspections in high-hazard industries, follow-up inspections, and employee complaints
- D. Imminent danger, catastrophes and fatal accidents, employee complaints, planned inspections in high-hazard industries, follow-up inspections

Correct Answer: D



The five OSHA priorities in order are as follows: Imminent danger, catastrophes and fatal accidents, employee complaints, planned inspections

in high-hazard industries, and follow-up inspections.

Answer options B, A, and C are incorrect. These are not the correct order of OSHA priorities.

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### QUESTION 8

Frank is an employee at the HBF Corporation, and he has recently been terminated because of poor company income. Frank visits the company's blog and saw a comment from his manager, which says, "We had to let Frank go today because he kept screwing up sales order. He's incompetent!" This is an example of which one of the following?

- A. Termination evidence
- B. Slander
- C. Libel
- D. Freedom of speech

Correct Answer: C

Defamation in writing is an example of a libel.

Answer option D is incorrect. Freedom of speech does have provisions, but in this case Frank was released because of poor company income, and not for being incompetent. This is an example of a libel.

Answer option B is incorrect. Slander is defamation through the spoken words. Answer option A is incorrect. Frank was terminated for poor company income, and not for screwing up sales orders.

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### QUESTION 9

You are a HR Professional for your organization and you're educating your staff on the Pregnancy Discrimination Act. Which one of the following statements about the Pregnancy Discrimination Act is not true?

- A. Pregnancy related benefits cannot be limited to married employees.
- B. Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees.
- C. If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy-related conditions.
- D. An employer is allowed to refuse to hire a pregnant woman because of the imminent time frame of the needed leave to deliver and care for the child.

Correct Answer: D

An employer cannot refuse to hire a woman based on her pregnancy. Answer options B, A, and C are incorrect. These are true statements and are part of the Pregnancy Discrimination Act.

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**QUESTION 10**

As an HR Professional you must be familiar with particular labor-based acts of congress. One such act is the Taft-Hartley Act which addressed right-to-work states and unions. What does right-to-work states mean for unions and employees?

- A. An organization can fire employees if they're members of a union.
- B. Union conducts the hiring process for an organization.
- C. Employees are not required to join a union to work.
- D. Employees must join the union in order to work.

Correct Answer: C

Right-to-work states, as addressed in the Taft-Hartley Act, state that employees aren't required to join a union in order to work. Answer option D is incorrect. This isn't a valid statement as employees aren't required to join a union in order to

work. Answer option A is incorrect. The Taft-Hartley does allow employers to fire supervisors who are engaged in union activities or do not support the employer's position.

Answer option B is incorrect. The union does not conduct the hiring process for the organization.

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**QUESTION 11**

OSHA has identified six standards that apply to almost all general industry employers. All of the following are standards as defined by OSHA that apply to employers except for which one?

- A. Emergency action plan standard
- B. Equity pay standard
- C. Exit routes standard
- D. Fire safety standard

Correct Answer: B

Payment of employees is not something covered by OSHA so this choice is incorrect. The six standards as defined by OSHA are hazard communication standard, emergency action plan standard, fire safety standard, exit routes standard, walking/working surfaces standard, and the medical and first aid standard.

Answer option C is incorrect. The exit routes standard is one of the six standards defined by OSHA. Answer option D is incorrect. The fire safety standard is one of the six standards defined by OSHA. Answer option A is incorrect. The emergency action plan standard is one of the six standards defined by OSHA.

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**QUESTION 12**

An organization is considering services it can successfully provide to its customers. One of the services, however, is



deemed to be difficult to offer with a high degree of certainty of success. The organization has decided not to offer the service because of the risk in offering the service, and failing. What risk response is used in this scenario?

- A. Transference
- B. Sharing
- C. Avoidance
- D. Mitigation

Correct Answer: C

This is an example of the avoidance risk response. Avoidance are preventive actions, workarounds, and decisions to avoid a negative risk event.

Answer option A is incorrect. Transference is a risk response that transfers the risk to a third party - usually for a fee.

Answer option D is incorrect. Mitigation is a risk response to reduce the probability and/or impact of a negative risk event.

Answer option B is incorrect. Sharing is a risk response that shares a positive risk event with another party.

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### QUESTION 13

The Federal Labor Standards Act is something that all HR Professionals should be familiar with. This act clearly defines four areas that affect all employees. Which one of the following is not one of the four areas of employment covered by this act?

- A. Commissions, royalties, and tips
- B. Overtime
- C. Record keeping
- D. Minimum wage

Correct Answer: A

The Federal Labor Standards Act does not address commissions, royalties, and tips. The four things the act does address are minimum wage, record keeping, overtime, and child labor. Answer options D, C, and B are incorrect. Minimum wage, record keeping, and overtime are addressed by the Federal Labor Standards Act.

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### QUESTION 14

Which of the following are established by Fair Labor Standards Act (FLSA) of 1938? Each correct answer represents a complete solution. Choose three.

- A. Criteria for exempt and nonexempt employees
- B. Minimum wage requirement
- C. Laws for protecting American children against labor exploitation



D. Health insurance requirement

Correct Answer: ABC

The Fair Labor Standards Act (FLSA) of 1938 established the following:

Minimum wage requirement

Laws for protecting American children against labor exploitation Criteria for exempt and nonexempt employees

Answer option D is incorrect. Health insurance requirement are not established by FLSA.

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#### QUESTION 15

Robert is the HR Professional for his organization. June, Robert's supervisor, assigns Robert for completing and filing the EEO-1 Report for the organization. What is the EEO-1 Report?

- A. It is a report that all employers with at least 100 employees must submit to the Department of Labor. It defines the total number of employees the organization employs.
- B. It is a report that all employers must submit to the Department of Labor defining the race, social security identification number, and income of all employees in the organization.
- C. It is a report that all employers with at least 100 employees must submit to the Department of Labor. It defines the total number of employees by job category, ethnicity, race, and gender the organization employs.
- D. It is a report that all employers must submit to the Department of Labor defining the race and income of all employees in the organization.

Correct Answer: C

The EEO-1 Report must be submitted to the EEOC and the Department of Labor by September 30 of each year for companies with 100 employees or more. This report defines the number of employees, their job categories, and provides a

breakdown of race, ethnicity, and gender of the employees in the organization.

Answer option D is incorrect. Only organizations with 100 or more employees are required to submit the report.

Answer option A is incorrect. The report defines race, ethnicity, and gender of all employees, not just total number of employees. Answer option B is incorrect. The report does not include the social security information or income of the employees.

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