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Question 1

Question Type: MultipleChoice

Jan is the HR Professional for your organization. An employee within the organization has filed a charge with the EEOC that discrimination has been done by your organization against her. The EEOC has investigated the case and has found that there is no reasonable cause against your company. The person filing the charge, however, still believes that discrimination has occurred. How long does this person have, to file a lawsuit against your company?

Options:

- A-** Once the EEOC has found that there is no reasonable cause, the complainant cannot file a lawsuit to sue.
- B-** Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 30 days of the EEOC's findings.
- C-** Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 90 days of the EEOC's findings.
- D-** Once the EEOC has found that there is no reasonable cause, the complainant can still file a lawsuit within 180 days of the EEOC's findings.

Answer:

C

Explanation:

Once the EEOC has found that there is no reasonable cause, the complainant still has the right to file a private lawsuit against your company.

The person is to file the lawsuit, however, within 90 days. The EEOC will send their findings to the employer and the complainant along with a right to sue letter -explaining the individual's rights to sue.

Answer option A is incorrect. The complainant can still seek to sue within 90 days.

Answer option B is incorrect. The complainant can still seek to sue within 90 days, not 30 days.

Answer option D is incorrect. The complainant can still seek to sue within 90 days, not 180 days.

Question 2

Question Type: MultipleChoice

Which of the following is a process that occurs due to mergers, outsourcing or changing business needs?

Options:

- A- Involuntary exit
- B- Plant closing
- C- Voluntarily exit
- D- Outplacement

Answer:

A

Explanation:

An involuntary exit is a process that occurs due to mergers, outsourcing or changing business needs. It also occurs due to terminations for cause, such as performance problems, etc.

Answer option B is incorrect. Plant closing is act of shutting down operation of a plant.

Answer option C is incorrect. In the voluntarily exit, employees leave the organization by either resigning or retiring.

Answer option A is incorrect. Outplacement is a term used to describe efforts made by a downsizing company to help former employees through the transition to new jobs and help them re-orientate to the job market.

Question 3

Question Type: MultipleChoice

As an HR Professional you should be familiar with the terminology, practices, and rules governing union-based strikes. An organization utilizes union labor and non-union labor in their operations. The union goes on a strike; so the organization shifts work to the non-union labor to offset the effects of the strike. If the union labor decides to picket the operations of the non-union labor, what term is assigned to this process?

Options:

- A- Double Breasting Picketing
- B- Common situs picketing
- C- Wildcat strikes
- D- Sympathy strike

Answer:

A

Explanation:

When a union is on a strike and the organization shifts work to non-union operations, the union can picket the non-union operations. This is called a double breasting picket.

Answer option D is incorrect. A sympathy strike occurs when non-striking workers don't cross the picket line of striking workers.

Answer option B is incorrect. The common situs picketing happens when members of a picketing labor union picket a workplace in which multiple employers work. This could include employers who the picketers don't have a disagreement with.

Answer option C is incorrect. A wildcat strike is when a collective bargaining agreement restricts strikes, but workers strike anyway.

Question 4

Question Type: MultipleChoice

Your organization is likely to be purchased by a competitor. The Management has asked you, in confidence, to complete environmental scanning to determine the effects of the purchase on your organization's culture, customers, and employees. What is environmental scanning?

Options:

A- Environmental scanning is a review of the opportunities and threats that a condition may have on an organization.

B- Environmental scanning is the process of assessing the effects of an organization change on both macro and micro elements in an organization.

C- Environmental scanning is a review of the cultural achievability of a new project, organizational change, or market influence on at least three factors in an organization.

D- Environmental scanning is an internal review of an external catalyst.

Answer:

A

Explanation:

Environmental scanning requires the HR Professional to review the opportunities and threats that a condition can have on an organization. In this instance the environmental scan is to consider the effects of the organization's sale on employee's, culture, and customers.

Answer option C is incorrect. This is not a good definition of environmental scanning because the number of factors to be considered or the cultural achievability of a change are not required.

Answer option D is incorrect. The change need not come from an external source - it could be an internal policy, shift in leadership, or other internal catalyst.

Answer option B is incorrect. This isn't a valid definition of environmental scanning as this answer doesn't consider opportunities or threats that can affect the macro and micro elements in the organization.

Question 5

Question Type: MultipleChoice

Management and union representatives are working through a collective bargaining agreement. What term is used in this process to describe arbitration that is used to resolve conflicts around contract language in the collective bargaining agreement?

Options:

- A- Decisions
- B- Permanent arbitration
- C- Interest arbitration
- D- Ad hoc arbitration

Answer:

C

Explanation:

When there is arbitration between management and the union regarding contract language, it is commonly referred to as interest arbitration. Answer option A is incorrect. Decisions describe the resolution of grievances based on the interpretation of the contract. Answer option D is incorrect. Ad hoc arbitration isn't technically a term associated with contract language. Ad hoc arbitrators, however, is. Ad hoc arbitrators describe the ability of either management or union to be forced to use an arbitrator which they're not happy with. Answer option B is incorrect. Permanent arbitration isn't technically a term associated with contract language. Permanent arbitrators, however, are. Permanent arbitrators describe an arbitrator that stays with the party (management or union) for the duration of the contract.

Question 6

Question Type: MultipleChoice

Your organization offers an employees' retirement benefit program that is covered by the Employee Retirement Income Security Act of 1974. The administrative responsibility for enforcement of the Employee Retirement Income Security Act of 1974 is divided among three government agencies. Which one of the following is not a government agency that helps to enforce ERISA?

Options:

A- FDIC

B- Department of Labor

C- IRS

D- Pension Benefit Guaranty Corporation

Answer:

A

Explanation:

The FDIC is not one of the three agencies that help to enforce the requirements of ERISA.

Answer options C, B, and D are incorrect. The IRS, Department of Labor, and Pension Benefit Guaranty Corporation are the three agencies that do help to enforce the requirements of ERISA.

Question 7

Question Type: MultipleChoice

Robert is the HR Professional for a construction company. He's working with several site managers to communicate the requirements of OSHA reporting. Robert wants to convey the requirements of OSHA's reporting for work-related injuries. Which one of the following is

the OSHA definition of a work-related injury?

Options:

- A-** Any loss of life or limb resulting from an event in the work environment.
- B-** Any wound or damage to the body resulting from an event in the work environment.
- C-** Any physical damage to one's body resulting from an event in the work environment.
- D-** Any pain, suffering, or damage to a person as a result of working in an employee position.

Answer:

B

Explanation:

OSHA's definition of a work related injury is broad and defined as 'any wound or damage to the body resulting from an event in the work environment.'

Answer option A is incorrect. OSHA covers more injuries than just the loss of life or limb.

Answer option C is incorrect. While this statement is in the spirit of OSHA requirements, it is not the exact definition from OSHA.

Answer option D is incorrect. OSHA doesn't use the terminology of pain, suffering, or damage, but rather defines wounds and damage.

Question 8

Question Type: MultipleChoice

The management and union are proceeding to an arbitration hearing that will be conducted by an arbitration panel. Which one of the following best describes the makeup of the arbitration panel?

Options:

- A-** There are three arbitrators all of whom are randomly selected to serve from a pool of pre-approved management and union arbitrators.
- B-** There are three arbitrators all of whom must be approved to participate by the management and the union.
- C-** There are three arbitrators, one selected by the management, one selected by the union, and a neutral arbitrator whom both management and union approve of.
- D-** There are three arbitrators, all of whom are selected by the party not bringing the grievance.

Answer:

C

Explanation:

An arbitration hearing by a panel typically uses three arbitrators. One arbitrator is selected by the management, one by the union, and one is approved by both management and union.

Answer option D is incorrect. The three arbitrators are not selected by just one party.

Answer option B is incorrect. Management gets to approve one arbitrator, the union gets to approve one arbitrator, and both parties approve the neutral arbitrator.

Answer option A is incorrect. The arbitrators are not randomly selected.

Question 9

Question Type: MultipleChoice

As an HR Professional you should be familiar with the terminology, practices, and rules governing unions and management in the bargaining process. What is the zipper clause in regard to negotiations?

Options:

- A- Items in a management-union contract can be 'zipped' open and closed as often as necessary.
- B- Management is locked out of union meetings.
- C- Management and union representations are locked out of union employee meetings.
- D- Items in a management-union contract are 'zipped' closed, once the agreement is signed by both parties.

Answer:

D

Explanation:

Once management and union are in agreement with the terms of the contract and they sign the agreement, new demands or negotiations are not allowed. The contract is zipped closed for its duration.

Answer option C, B, and A are incorrect. These aren't valid definitions of the zipper clause.

Question 10

Question Type: MultipleChoice

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?

Options:

- 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

Answer:

A

Explanation:

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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