



# e-Recruitment, gender discrimination, and organizational results of listed companies on the Spanish Stock Exchange



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## ABSTRACT

The recruitment process aims to request relevant information from applicants, but sometimes this could be used to discriminate. Based mainly on the legal framework and the Rational Bias, the present paper explores the use of potentially discriminatory content against women in Spanish companies according to the enforcement of the equal employment opportunity legislation in 2007, and its relationship with organizational results. We have performed a comparative study between 2005 and 2009 implementing a combination of qualitative and quantitative analysis. All the websites of the Spanish Stock Exchange were analyzed. Results show that companies did include potentially discriminatory questions in application forms, even after the law enforcement, but not in recruitment statements. Regarding organizational results, small but significant relationships between legal fulfillment and annual returns were found, but these results could have been influenced by factors attributable to the economic crisis. To conclude, we provide recommendations regarding desirable policies and organizational practices in the context of the area being studied.

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## Reclutamiento electrónico, discriminación por género y resultados organizacionales de las compañías que cotizan en la Bolsa española

## RESUMEN

El proceso de reclutamiento es una fase importante del proceso de selección, donde se solicita información personal de los candidatos. Pero esta información podría ser utilizada de forma discriminatoria en la toma de decisiones. Basándonos en la Teoría del Sesgo Racional y en la legislación vigente en materia de igualdad, en este estudio se explora el posible uso discriminatorio contra las mujeres en las empresas que cotizan en la bolsa española, así como su relación con los resultados organizacionales. Hemos realizado un estudio comparativo entre los años 2005 y 2009 del contenido de las hojas de solicitud de empleo en las webs de todas las empresas que cotizaban en bolsa en esos años. Combinando técnicas cualitativas y cuantitativas, los resultados mostraron que las empresas incluían contenido potencialmente discriminatorio tanto antes como después de la Ley de Igualdad entre Mujeres y Hombres de 2007. Asimismo, hemos encontrado relación entre los resultados anuales de las empresas y el cumplimiento estricto de la legislación. Finalmente, incluimos recomendaciones de buenas prácticas para la política organizacional durante el reclutamiento.

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### Palabras clave:

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Recruitment is the first step of personnel selection and can be defined as the process of attracting competent individuals to fill jobs (Schmitt & Chan, 1998). Specifically, Stone, Lukaszewski, Stone-Romero, and Johnson (2013) noted that the purpose of recruitment is “to provide the organization with a large pool of job applicants who are well suited for existing openings in terms of their knowledge, skills, abilities, and other attributes” (p. 51). After recruitment, the selection process takes place, and decision makers evaluate the capabilities of applicants on the attributes required to fill the job effectively (Smith & Robertson, 1993). But, during recruitment, applicants provide personal information that companies use to make hiring decisions, and sometimes the information requested by companies is inappropriate and could be used to discriminate (Bell, Ryan, & Wiechmann, 2004). Countries such as the USA and the UK have developed legal dispositions to ensure equality in the selection process (Aguinis, 2009). According to Myers et al. (2008), the Civil Rights Act of 1964 in USA derived in a legal environment which had an important effect on I/O psychology. In this way, employers have become more aware of the importance of legal issues during personnel selection procedures. As a result, practices as job analysis, criteria development, tests development and validation have been analyzed and improved. In the case of UK, the legal environment for selection made employers to be systematic and to conduct a job analysis when they are looking for employees. In the case of Spain, the legislation for minority groups during selection is weak despite having equal opportunities legislation in force. Consequently, Spain has yet to study and integrate its impact in current recruitment practices (García-Izquierdo, Aguinis, & Ramos-Villagrasa, 2010).

Following Pager and Western (2012), one of the main problems of studying equality at the workplace is that contemporary forms of discrimination are hard to investigate in a direct way. In other words, decision-makers who discriminate against a focus group or individual members are unable to admit the discriminatory elements which directly affect their decisions. Therefore, in the present paper we are going to analyze secondary data. We cannot ask directly an organization if they have discriminatory elements inside the organization because the answer will be a clear no; however we can analyze if there are discriminatory elements in the recruitment process (e.g., the recruitment sections in the companies' websites) using a combination of qualitative and quantitative methods. When we detect potentially discriminatory content, as for example in the recruitment section of a company website, it signifies that the potential for discrimination exists (Stone-Romero & Stone, 2005). Furthermore, even without the latter discriminatory intent, the use of inadequate content generates negative reactions in applicants, which weaken the personnel selection process (e.g., Bauer et al., 2006; Truxillo, Steiner, & Gilliland, 2004).

The study reported here is built on a previous one (i.e., García-Izquierdo et al., 2010) that we developed with two purposes: (1) as a preliminary approximation to the Spanish practices in e-recruitment and (2) to show that a science-practice gap (Cascio & Aguinis, 2008) exists also in this context. Now, we want to take a step forward with a deeper study focused on the analysis of the relationship between legislation, real recruitment practices, and its impact on organizational results. Thus, taking the European legal framework and the literature regarding discrimination in job access into account, the current study aims to explore the use of potentially discriminatory content in the websites of listed companies in Spain. Specifically, we want to measure the degree of improvement in recruitment practices present in these websites in compliance with adoption of the Equal Employment Opportunity Act (Ley Orgánica de Igualdad de Oportunidades entre Mujeres y Hombres, LOIMH) in 2007. Furthermore, we wish to investigate whether the e-recruitment practices regarding gender discrimination have any relationship with organizational results. The findings

reported here will be useful for Spanish researchers and practitioners, who need to ensure the equality of their selection procedures. Additionally they will also serve as guidance to those countries whose equal-opportunity legislation is being developed and, of course, to best-practice recruitment specialists.

## Internet Recruitment and Biodata

Nowadays, the development of new technologies has turned the Internet into the prevalent recruitment source (Pfeffelmann, Wagner, & Libkuman, 2010). For example in Spain, according to the *Observatorio Nacional de las Telecomunicaciones y la Sociedad de la Información* (ONTSI, 2015) [the Spanish Observatory for Telecommunications and the Information Society] during 2014, 75.8% of companies with Internet access had their own website and 21.1% of companies used it to advertise the jobs or receive work requests. This means an increase of 18.3% and 3.4% respectively from 2008, which is the first year with available data on this issue. This new form of recruitment, named e-recruitment, implies important changes with regard to the traditional recruitment. According to Cober, Brown, Keeping, and Levy (2004), the differences are detectable when we refer to the experiences which become available with Internet web pages (e.g., images, sound, animations) as well as the possibility of providing a dynamic experience where the job-seeker is involved in the recruitment process instead of being a passive informational receiver. Moreover, e-recruitment offers many practical benefits in comparison with traditional methods such as the use of companies' own corporate websites as a source of recruitment (Lievens & Harris, 2003), which serve to attract future workers through web content (Cober, Brown, Blumenthal, & Levy, 2001) and appearance (Thompson, Braddy, & Wuensch, 2008), and which can result in substantial savings in terms of financial costs and time invested (Sylva & Mol, 2009). Although e-recruitment offers many possibilities, it has several limitations. To start with, there are more applicants which can prove detrimental to the quality of the e-recruitment process (Boehle, 2000), and some potential applicants may become excluded due to demographic differences in Internet access (McManus & Ferguson, 2003).

During the recruitment process, organizations begin to obtain biographical data (*biodata*) from candidates. Biodata measures come from standardized methods of measuring past behaviors (e.g., education, job experience) that are relevant to future job performance (Becton, Mathews, Hartley, & Whitaker, 2009). The use of biodata has certain advantages such as their low collection cost and acceptable predictive validity (between .30 and .40) across a wide range of criteria and situations (Allworth & Hesketh, 2000). In addition, applicants do not usually fake their answers (Schmitt & Kuncze, 2002). However, biodata cannot be considered trouble-free: biodata are perceived as somewhat lacking in terms of their legality (Furnham, 2008) and recent research has shown that it entails a much higher adverse impact than was previously supposed (Bobko & Roth, 2013). Nowadays, the concerns related with legal compliance and discrimination in the use of biodata are actually very relevant issues for organizations. For instance, the inclusion of content suggesting a preference for a specific gender which is unrelated to job performance could be a first step towards discrimination (Stone-Romero & Stone, 2005). Similarly, the inclusion of inappropriate or invasive content could promote the self-exclusion of potentially valuable applicants (Truxillo et al., 2004) and generating negative reactions from applicants (Bauer et al., 2006).

## Discrimination in e-Recruitment

Following Guion (2011), the information gathered during recruitment should be job-related in accordance with a prior job

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