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Topic Break Down

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QUESTION NO: 1

During the organization of a union, it's possible that the union will gain recognition from the management. The management is then obliged to give the NLRB a list of employees who are eligible to vote in the unionization election. What is the name of the list of such employees called?

- A. Constituent List
- B. Union prospectus List
- C. Excelsior List
- D. Candidate List

ANSWER: C

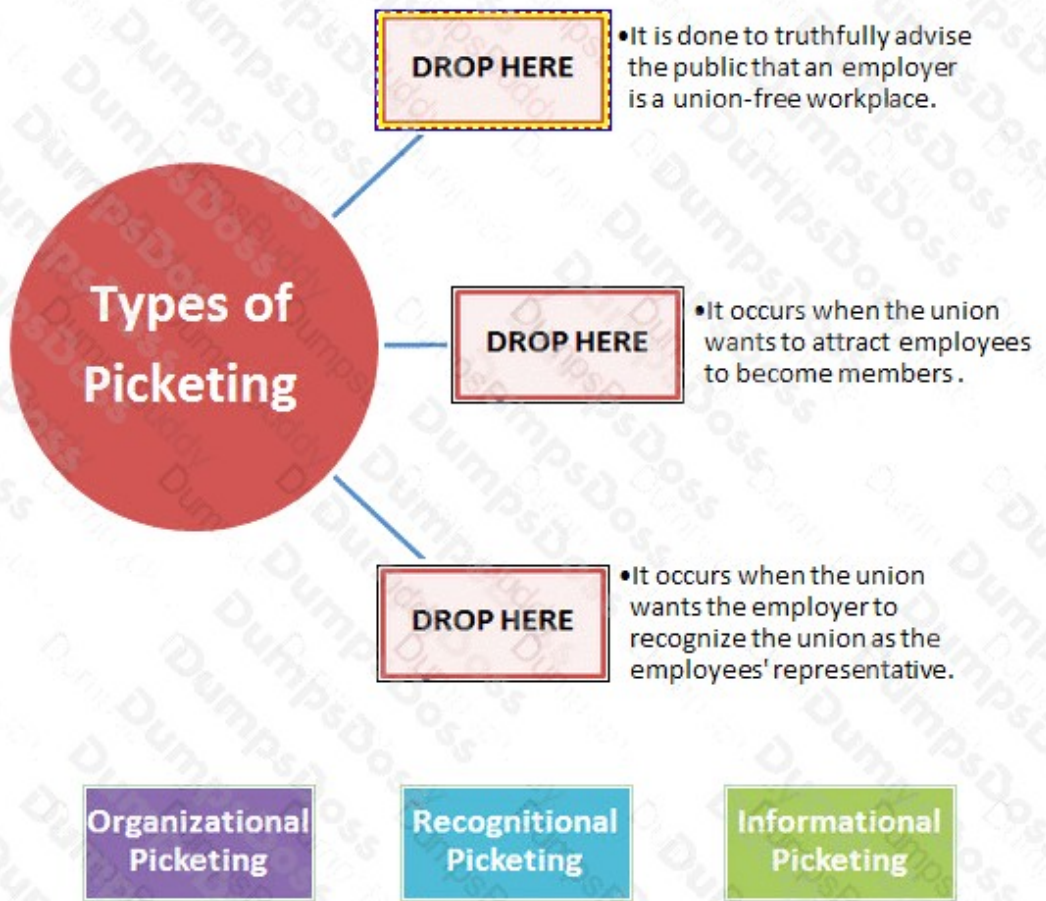
Explanation:

The **Excelsior List** is the voter eligibility list an employer must provide after the National Labor Relations Board directs a representation election. It contains the names, home addresses, available personal email addresses, available home and personal cellular telephone numbers, work locations, shifts, and job classifications of employees eligible to vote. The list must be provided to the NLRB's regional director and to the parties involved in the election, including the union seeking representation. Its purpose is to allow the union and other parties a fair opportunity to communicate with eligible voters before the election, supporting an informed and free choice about representation.

The name comes from the NLRB's decision in *Excelsior Underwear Inc.*, which established the requirement. Under current NLRB election rules, the employer generally must furnish the voter list within two business days after the approval of an election agreement or issuance of a direction of election. For the governing rule and the NLRB's explanation of representation-election procedures, see [NLRB: Conduct Elections](#) and [29 C.F.R. § 102.62](#).

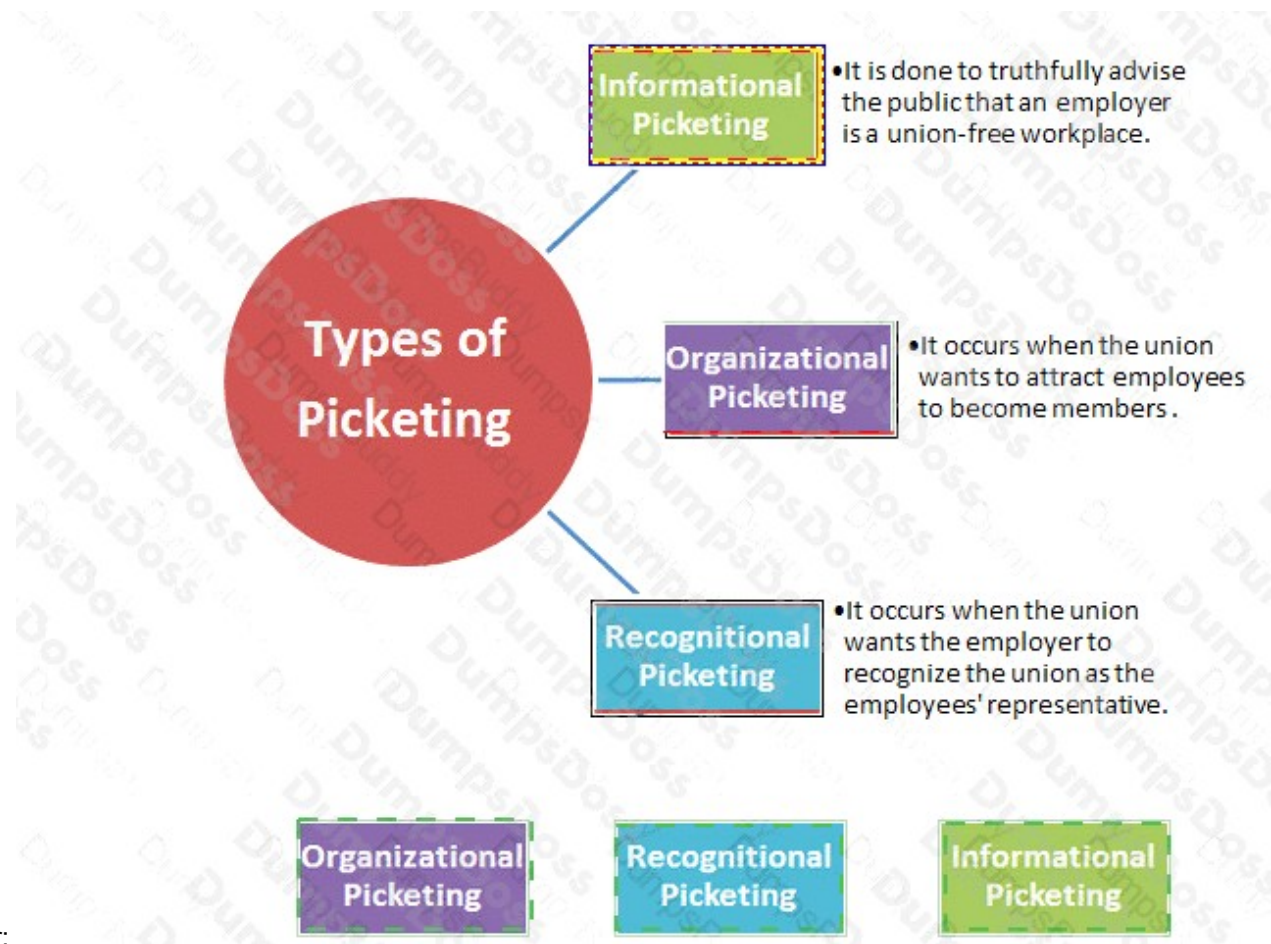
QUESTION NO: 2 - (DRAG DROP)

Drag and drop the types of picketing beside their corresponding descriptions.



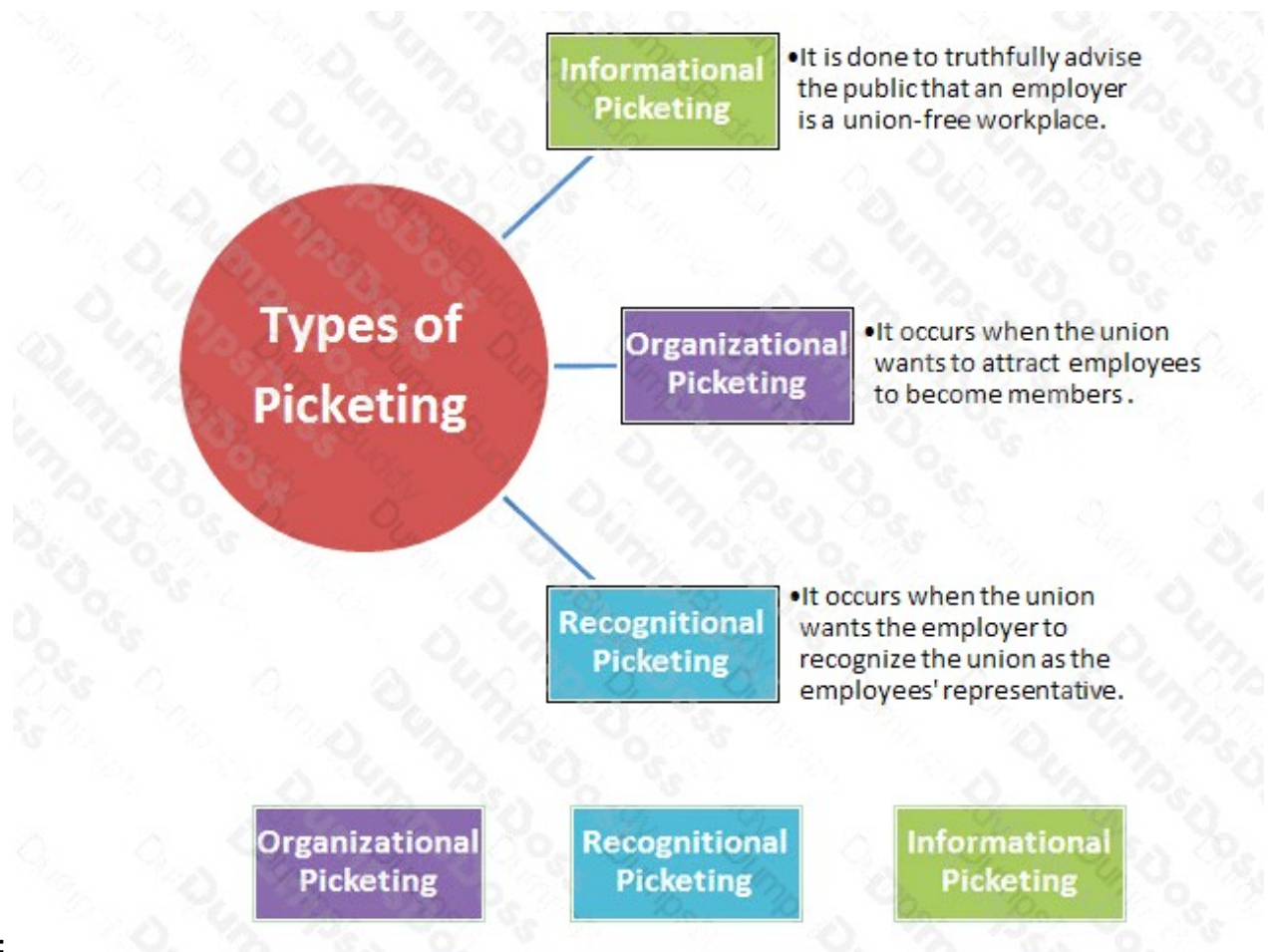
ANSWER:

Answer:



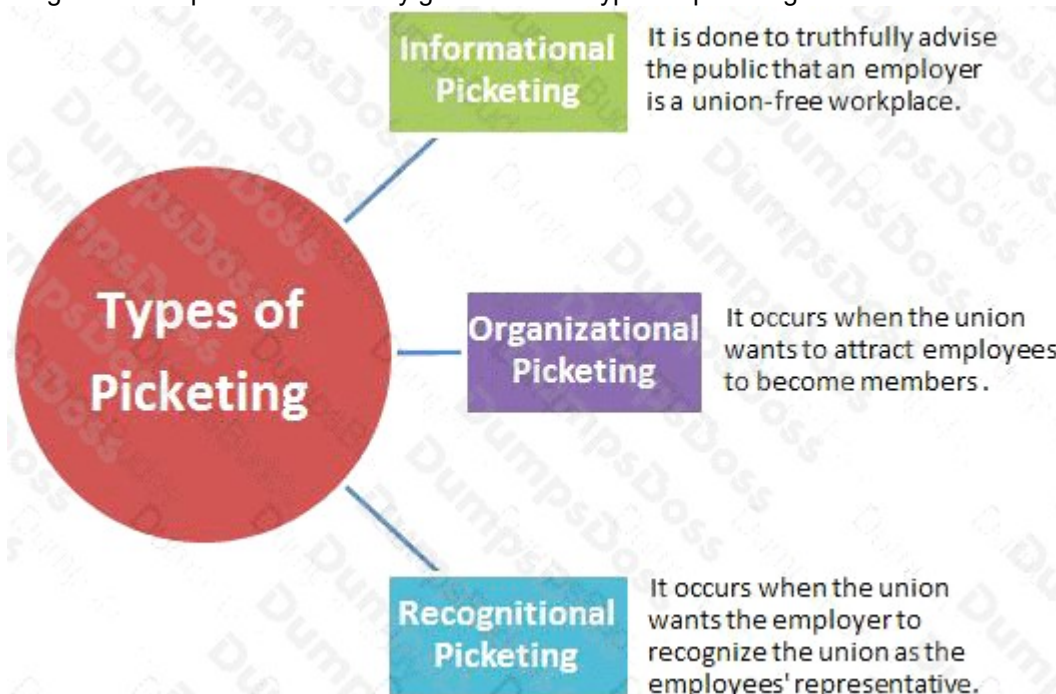
Answer:

Explanation:



Explanation:

Diagram Description automatically generatedThe types of picketing are as follows:



exp2_0003DaChapter:Employee

and Labor Relations**Objective:**Union Organization

Explanation:

Informational picketing is correctly matched to truthfully advising the public that an employer is union-free. Its essential purpose is communication: the union publicizes information relevant to employees, consumers, or the community rather than seeking immediate recognition or employee enrollment. Federal labor law specifically addresses publicity intended to truthfully inform the public, including consumers, that an employer does not employ members of, or have a contract with, a labor organization. The statutory language and related limits are found in [29 U.S.C. § 158](#).

Organizational picketing is correctly matched to a union's effort to attract employees to become members. In an organizing campaign, the union seeks to build employee support and encourage workers to join or support the organization. Picketing can be one method of communicating the union's message and demonstrating collective support. This purpose fits the National Labor Relations Board's explanation that employees have rights to organize, join, assist, or refrain from joining a labor organization under [Section 7 of the National Labor Relations Act](#).

Recognitional picketing is correctly matched to a union's effort to have the employer recognize it as the employees' bargaining representative. Recognition concerns the employer's acceptance of the union as the representative for collective bargaining, typically after the union establishes the required employee support. The NLRB describes collective bargaining as the process through which an employer and employees' representative negotiate terms and conditions of employment; see the Board's overview at [NLRB: Conduct Elections](#). The completed placements therefore accurately distinguish public-information activity, membership-focused organizing, and employer-recognition objectives.

QUESTION NO: 3

Which of the following processes is taken to reduce the risk?

- A. Risk acceptance
- B. Risk transfer
- C. Risk avoidance
- D. Risk mitigation

ANSWER: D

Explanation:

Risk mitigation is the process of taking deliberate measures to reduce a risk's likelihood, its potential impact, or both, while the underlying activity or exposure continues. In an HR setting, this can include implementing stronger workplace-safety training, adding review controls to payroll processes, maintaining compliant recordkeeping practices, or establishing anti-harassment reporting and investigation procedures. The purpose is to bring residual risk within the organization's acceptable tolerance through practical controls, policies, training, monitoring, and corrective action.

This terminology is consistent with established risk-management guidance. The National Institute of Standards and Technology describes risk mitigation as prioritizing, evaluating, and implementing controls that reduce risk. Likewise, ISO's risk-management framework emphasizes selecting and implementing treatments to modify risk in line with organizational objectives. Therefore, "Risk mitigation" most directly identifies the process undertaken to reduce risk rather than merely recognizing or reallocating it. See [NIST's definition of risk mitigation](#) and [ISO 31000 risk-management guidance](#).

QUESTION NO: 4

A California employee uses a personal mobile phone and home internet connection to perform required work remotely. The employer has not provided a company phone or paid any portion of the internet service. Which of the following actions are appropriate under California expense-reimbursement requirements? Each correct answer represents a complete solution. Choose two.

- A. Reimburse a reasonable portion of the employee's required business mobile-phone use.
- B. Reimburse a reasonable portion of the employee's required business internet use.
- C. Deny reimbursement because the employee has an unlimited mobile-phone plan.
- D. Deny reimbursement because the employee also uses home internet for personal purposes.
- E. Require the employee to absorb all expenses as a condition of remote work.

ANSWER: A B

Explanation:

California employers must reimburse employees for necessary expenditures or losses incurred in direct consequence of performing job duties. If the employee is required to use a personal phone or internet connection for work, the employer should reimburse a reasonable portion of the associated expense. The reimbursement does not depend on whether the employee has an unlimited phone plan or would maintain home internet for personal reasons.

The employer may establish a reasonable method for determining the work-related portion of the cost, but it should not shift necessary business expenses to the employee or require the employee to absorb them simply because remote work is voluntary or convenient.

QUESTION NO: 5

Which of the following are the key components of gainsharing? Each correct answer represents a complete solution. Choose three.

- A. The organization and the employees share the financial gains.
- B. If goals for improvements are met, employees and managers share the success.
- C. Managers and employees provide their part of salary for charity.
- D. Employees and management work together for reviewing organizational performance.

ANSWER: A B D**Explanation:**

Gainsharing is a group-based variable-pay approach that links employees' rewards to measurable improvements in organizational performance, such as productivity, cost reduction, quality, or efficiency. A fundamental component is that the organization and the employees share the financial gains: when performance improves beyond an established baseline, a defined portion of the resulting savings or value is paid to the participating workforce. Gainsharing also depends on employees and managers sharing the success when improvement goals are achieved. This reinforces the program's core purpose of aligning employee rewards with collective operational results rather than with individual sales or personal performance alone. Finally, employees and management work together for reviewing organizational performance because gainsharing requires ongoing measurement, communication of results, and employee participation in identifying and implementing process improvements. This collaborative structure helps employees understand the performance measures that drive awards and gives them a meaningful role in improving the work system. Gainsharing is therefore distinguished by shared performance goals, participative problem-solving, transparent performance review, and shared financial results. See the U.S. Bureau of Labor Statistics discussion of gainsharing at [BLS Monthly Labor Review](#) and an overview from [Encyclopaedia Britannica](#).

QUESTION NO: 6

Mike is the HR Professional for his organization and he's documenting the relationship of contractors and employees in the organization. Mike is focusing on the control aspects as provided by the Internal Revenue Service. What aspect of the contractor control aspect is best described as how the business pays the worker?

- A. Behavioral control
- B. Contractual relationship
- C. Type of relationship
- D. Financial control

ANSWER: D**Explanation:**

Financial control is correct because the method by which a business pays a worker is a core fact considered in evaluating who controls the financial and business aspects of the worker's job. The Internal Revenue Service groups common-law worker-classification evidence into behavioral control, financial control, and the type of relationship of the parties. Financial-control facts include whether the worker has a significant investment, can realize a profit or incur a loss, makes services available to the broader market, receives reimbursement for business expenses, and how the business pays the worker. For example, payment by the job or project may indicate a different level of financial independence than regular hourly, weekly, or salary-based payment, although no single fact alone determines status. HR should document the full context of payment practices alongside the other relevant classification facts, rather than treating a contractor label or payment method as conclusive. The IRS emphasizes that the proper classification turns on the entire working relationship and the degree of control and independence shown by the facts. See the IRS guidance on [understanding employee versus contractor designation](#) and its [independent contractor or employee resource](#).

QUESTION NO: 7

Job fulfillment from working with a talented peer group is an example of which of the following types of compensation?

- A. Monetary
- B. Intrinsic
- C. Extrinsic
- D. Total rewards

ANSWER: B

Explanation:

Intrinsic is correct because job fulfillment gained from collaborating with talented peers arises from the employee's internal experience of the work environment, rather than from a direct financial payment or employer-provided benefit. Intrinsic rewards include the personal satisfaction, meaning, pride, enjoyment, professional growth, autonomy, and sense of accomplishment an individual derives from work. A capable peer group can make work more intellectually stimulating, strengthen an employee's sense of belonging and professional identity, and create valuable opportunities to learn and contribute. Those positive outcomes can motivate and retain employees even though they are not separately priced or paid through payroll. In a total-rewards strategy, HR professionals should recognize intrinsic rewards as an important part of the overall employee value proposition, particularly when designing jobs, developing workplace culture, and supporting engagement. The U.S. Office of Personnel Management describes intrinsic rewards as satisfaction received from performing the work itself, including meaningful work and opportunities for growth. This aligns with fulfillment based on one's work relationships and daily work experience. See the [U.S. Office of Personnel Management's overview of intrinsic and extrinsic rewards](#) and the [SHRM employee-retention resources](#).

QUESTION NO: 8

An employee tells HR that a medical condition limits the employee's ability to work the current start time and requests a modified schedule. The disability and need for accommodation are not obvious. Which of the following actions are appropriate under California disability-accommodation requirements? Each correct answer represents a complete solution. Choose three.

- A. Promptly engage in a good-faith interactive process with the employee.
- B. Request reasonable medical documentation concerning the disability and need for accommodation.
- C. Consider effective accommodations that would enable performance of essential job functions.
- D. Require the employee to provide unrestricted medical records before discussing accommodation.
- E. Postpone the accommodation discussion until the employee has exhausted all available leave.

ANSWER: A B C

Explanation:

HR should promptly engage in a timely, good-faith interactive process with the employee to identify effective reasonable accommodations. When the disability or need for accommodation is not obvious, the employer may request reasonable medical documentation that confirms the existence of a disability and the need for accommodation. HR should also consider potential effective accommodations, including a modified schedule, reassignment of marginal duties, or another available accommodation that enables the employee to perform essential job functions.

The employer should not demand unrestricted medical records or insist on a diagnosis unrelated to determining functional limitations and accommodation needs. It also should not delay the interactive process until the employee has exhausted all available leave.

QUESTION NO: 9

A California organization is revising its Injury and Illness Prevention Program (IIPP) after several near-miss incidents. Which of the following are required elements of an effective California IIPP? Each correct answer represents a complete solution. Choose three.

- A. A system for identifying and evaluating workplace hazards
- B. A procedure for investigating occupational injuries and illnesses
- C. A program of employee safety training and instruction
- D. A requirement that employees waive the right to report unsafe conditions
- E. A policy limiting safety concerns to annual performance reviews

ANSWER: A B C**Explanation:**

A California IIPP must establish a system for identifying and evaluating workplace hazards, a procedure for investigating occupational injuries and illnesses, and training and instruction for employees. These components enable the employer to find hazards, determine contributing causes when incidents occur, and ensure employees understand safe work practices.

Although safety committees and outside inspections may be useful, an IIPP is not satisfied merely by purchasing workers' compensation insurance or by requiring employees to waive reporting rights. The program must be written and implemented in a manner that provides for ongoing hazard control and employee communication.

QUESTION NO: 10

Which of the following are types of training evaluation? Each correct answer represents a complete solution. Choose all that apply.

- A. Testing
- B. Behavior
- C. Learning
- D. Reaction
- E. Results

ANSWER: B C D E**Explanation:**

Behavior, Learning, Reaction, and Results are the four levels in the Kirkpatrick Model, a widely used framework for evaluating training effectiveness. Reaction measures participants' immediate perceptions of the training, such as whether

they found it relevant, engaging, and useful. Learning evaluates the extent to which participants gained the intended knowledge, skills, attitudes, confidence, or commitment. Behavior evaluates whether participants apply the learning on the job after returning to the workplace; this level commonly relies on observation, manager input, or performance evidence. Results evaluates the organizational outcomes connected to the training, such as improved quality, productivity, retention, safety, customer satisfaction, or other business measures. Together, these levels move evaluation from participants' initial experience through learning transfer and organizational impact. HR professionals should identify intended outcomes during training design and select measures appropriate to each level, rather than relying solely on post-program participant feedback. The Kirkpatrick Partners overview describes these four levels and their role in demonstrating training value: [The Kirkpatrick Model](#). For practical guidance on evaluating training programs, see the U.S. Office of Personnel Management's resource on [evaluating training programs](#).

QUESTION NO: 11

An employee of a California employer with 12 employees becomes disabled by pregnancy and later plans to bond with the newborn child. Which of the following statements are correct? Each correct answer represents a complete solution. Choose three.

- A. The employee may be entitled to up to four months of pregnancy disability leave for the period of actual disability.
- B. The employee does not need to satisfy a 12-month or 1,250-hours-worked requirement to be eligible for pregnancy disability leave.
- C. The employee may be entitled to CFRA bonding leave after pregnancy disability leave if the employee independently meets CFRA eligibility requirements.
- D. Pregnancy disability leave always runs concurrently with CFRA leave.
- E. Pregnancy disability leave applies only when the employer has at least 50 employees.

ANSWER: A B C

Explanation:

A California employer with five or more employees must provide pregnancy disability leave (PDL) to an employee disabled by pregnancy, childbirth, or a related medical condition. PDL may be available for up to four months per pregnancy, depending on the period of actual disability. Unlike CFRA, PDL does not require the employee to have worked for 12 months or 1,250 hours before becoming eligible.

After PDL ends, an employee who independently meets CFRA eligibility requirements may be entitled to CFRA leave for baby bonding. PDL does not run concurrently with CFRA leave, although federal FMLA leave may run concurrently with PDL for an eligible employee.

QUESTION NO: 12

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

ANSWER: A B C

Explanation:

The Fair Labor Standards Act establishes core federal wage-and-hour protections. **Criteria for exempt and nonexempt employees** is correct because the Act's minimum-wage and overtime provisions apply to covered, nonexempt employees;

the U.S. Department of Labor's regulations under the Act set out the tests used for common white-collar exemptions, including salary-basis, salary-level, and duties requirements. Proper classification is therefore a central FLSA compliance responsibility for HR professionals.

Minimum wage requirement is correct because the Act establishes a federal minimum wage for covered nonexempt employees. Employers must comply with the applicable federal, state, or local minimum wage, using the standard that provides the greater employee protection.

Laws for protecting American children against labor exploitation is correct because the Act includes federal child-labor provisions. These rules restrict employment in certain hazardous occupations and limit the hours and types of work permitted for workers under specified ages, helping protect minors' educational opportunities, health, and well-being. The Department of Labor summarizes these wage, overtime, classification, and youth-employment protections at [the Wage and Hour Division's FLSA page](#) and provides specific guidance at [its child labor page](#).

QUESTION NO: 13

As an HRProfessional you must be familiar with the project management processes and the stakeholders of projects. All projects can map to the project management lifecycle. Which one of the following best describes the project management lifecycle?

- A. It is the aggregation of the nine knowledge areas of project management: integration management, scope, schedule, costs, quality, human resources, communication, risk, and procurement.
- B. It is the life of the management of the project -from initiation, planning, execution, controlling, through closing.
- C. It is the life of a project to interact with all areas including scope, schedule, costs, quality, human resources, communication, risk, and procurement.
- D. It is a unique life of each project -from its initiationthrough its closing.

ANSWER: B

Explanation:

It is the life of the management of the project—from initiation, planning, execution, controlling, through closing. This correctly describes the traditional project management process-group lifecycle: work begins by formally defining and authorizing the effort, is planned in sufficient detail to establish how objectives will be achieved, is carried out through execution, and is monitored and controlled so performance can be measured and corrective action taken as needed. The project then concludes through formal closing activities, such as accepting deliverables, transitioning outcomes to ongoing operations, documenting lessons learned, and closing contracts or administrative records. For an HR professional participating in an organizational project, this framework helps identify when to engage stakeholders, plan staffing and communications, support implementation, monitor people-related risks, and capture outcomes for future initiatives. The process groups may overlap and recur during a project rather than operate as one strictly linear sequence, but together they provide the standard lifecycle structure for managing a project from start to finish. The Project Management Institute describes these process groups and their role in organizing project work in its [project-management overview](#); further lifecycle context is provided in the [Process Groups: A Practice Guide](#).

QUESTION NO: 14

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?

- A. Any loss of life or limbresulting 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 damageto a person as a result of working in an employee position.

ANSWER: B

Explanation:

Any wound or damage to the body resulting from an event in the work environment. is the OSHA definition of an injury for occupational recordkeeping purposes. This wording properly identifies an injury as bodily harm arising from an event in the work environment. It encompasses the types of acute harm commonly encountered in construction work, including cuts, fractures, sprains, burns, and amputations, when the work environment contributed to the condition or significantly aggravated a preexisting condition.

For OSHA recordkeeping, HR professionals must first identify whether a condition is an injury or illness and then apply OSHA's work-relatedness standard. Under that standard, a case is generally work-related when an event or exposure in the work environment either caused or contributed to the resulting condition, or significantly aggravated a preexisting injury or illness. A work-related case must then be recorded on the OSHA 300 Log if it meets one or more general recording criteria, such as medical treatment beyond first aid, days away from work, restricted work, transfer, loss of consciousness, or a significant diagnosed injury or illness. OSHA's regulatory definitions appear in [29 CFR § 1904.46](#), and its work-relatedness rule is available at [29 CFR § 1904.5](#).

QUESTION NO: 15 - (SIMULATION)

_____ programs involve employees and managers in improving the organization's productivity and sharing the benefits of success.

ANSWER: See the explanation for the answer

Explanation:

Answer: Gainsharing

Gainsharing programs involve employees and managers in efforts to improve organizational productivity, efficiency, quality, or cost control. The resulting measurable gains are shared with employees, typically through incentive payments.

QUESTION NO: 16

Which of the following statements correctly describe California paid sick leave requirements for an employer using an accrual method? Each correct answer represents a complete solution. Choose three.

- A. Employees accrue at least one hour of paid sick leave for every 30 hours worked.
- B. An employer may limit annual paid sick leave use to 40 hours or five days, whichever is more.
- C. An employer may cap total accrued paid sick leave at 80 hours or 10 days, whichever is more.
- D. An employer may require six months of employment before an employee may use accrued paid sick leave.
- E. Employees accrue paid sick leave at a minimum rate of one hour for every 40 hours worked.

ANSWER: A B C

Explanation:

California's paid sick leave law requires an eligible employee to accrue at least one hour of paid sick leave for every 30 hours worked, unless the employer uses a lawful alternative accrual method that meets the applicable standards. An employer may limit an employee's use of paid sick leave to 40 hours or five days in each year of employment, calendar year, or 12-month period, whichever is more. The employer may also cap total accrued sick leave at 80 hours or 10 days, whichever is more.

An employer may generally require an employee to complete 90 days of employment before using accrued paid sick leave, but it may not require six months of employment before use. Accrual at one hour for every 40 hours worked would not meet the statutory minimum accrual rate.

QUESTION NO: 17

As an HR Professional you must recognize, and be aware of several pieces of legislation that affects your performance as an HR Professional. Which one of the following acts used the terminology "work now, grieve later" to describe the urgency of performing work?

- A. Clayton Act
- B. National Labor Relations Act
- C. Railway Labor Act
- D. National Industrial Recovery Act

ANSWER: C

Explanation:

The **Railway Labor Act** is correct. In the unionized railroad and airline industries covered by this statute, the phrase "work now, grieve later" describes the governing approach to disputes over the interpretation or application of an existing collective bargaining agreement. Employees generally must continue performing assigned work and use the contractual grievance process rather than engage in immediate work stoppages or other self-help. This preserves uninterrupted transportation service while the dispute proceeds through the required resolution mechanisms.

Under the Railway Labor Act, these "minor disputes" are subject to mandatory arbitral adjustment through bodies such as the National Railroad Adjustment Board or a system board of adjustment. The Act's dispute-resolution framework is intended to avoid interruptions to commerce while providing an established process for employees and unions to challenge an employer's action. The U.S. Supreme Court has described minor disputes as those grounded in an existing agreement and has emphasized the Act's compulsory arbitration process. HR professionals supporting covered employers should therefore recognize that operational continuity and timely use of the grievance machinery are central features of Railway Labor Act labor relations. See [45 U.S.C. § 153](#) and [Consolidated Rail Corp. v. Railway Labor Executives' Association](#).

QUESTION NO: 18

As a HR Professional you must understand the laws and regulations, which affect employee compensation. Which of the following was the first to address a minimum wage for employees?

- A. Portal-to-Portal Act
- B. Walsh-Healey Public Contracts Act
- C. Davis-Bacon Act
- D. Fair Labor Standards Act

ANSWER: B

Explanation:

Walsh-Healey Public Contracts Act is correct because it was enacted in 1936 and was the first federal law among these choices to establish a minimum-wage requirement. It applies to certain contracts for the manufacture or furnishing of materials, supplies, articles, and equipment to the federal government. Covered contractors must pay employees at least the applicable minimum wage, along with complying with other labor standards. This was an important early federal use of purchasing power to require wage protections for workers performing covered federal contract work.

For HR professionals, the key distinction is that this statute's wage requirement is tied to covered federal supply contracts, rather than serving as a universal wage floor for all private-sector employees. The U.S. Department of Labor's Wage and Hour Division identifies Walsh-Healey as one of the federal government-contract labor standards laws it administers. Its requirements remain relevant when an employer performs qualifying federal contracts and must be considered alongside current wage-and-hour compliance obligations. See the Department of Labor's [Government Contracts Compliance Assistance](#) page and its [Walsh-Healey Public Contracts Act fact sheet](#).

QUESTION NO: 19

An employee works for a California employer with 80 employees at one worksite and requests leave to bond with a newborn child after the employee's pregnancy disability leave ends. Which of the following statements are correct? Each correct answer represents a complete solution. Choose three.

- A. CFRA leave may be used to bond with a newborn child.
- B. Pregnancy disability leave and CFRA baby-bonding leave are separate leave entitlements.
- C. An eligible employee may take up to 12 workweeks of CFRA leave in a 12-month period.
- D. Pregnancy disability leave must be counted against the employee's CFRA bonding leave.
- E. The employer is exempt from CFRA because it has fewer than 100 employees.

ANSWER: A B C

Explanation:

California Family Rights Act (CFRA) leave may be used for baby bonding, and an eligible employee may take up to 12 workweeks of CFRA leave in a 12-month period. Pregnancy disability leave is a separate entitlement for the period during which an employee is disabled by pregnancy, childbirth, or a related medical condition. CFRA baby-bonding leave may begin after pregnancy disability leave ends, assuming the employee meets CFRA eligibility requirements.

The employer's size exceeds the five-employee threshold for both pregnancy disability leave and CFRA coverage. Pregnancy disability leave is not limited to 12 workweeks, and an employer should not count pregnancy disability leave itself against the employee's CFRA bonding entitlement.

QUESTION NO: 20

Which of the following are the benefits of gainsharing programs? Each correct answer represents a complete solution. Choose three.

- A. Aligns employees to organization goals
- B. Employees are paid on the basis of group performance rather than individual performance
- C. Enhances employees focus and awareness
- D. Helps organization to achieve improvement in key performance measures

ANSWER: A C D

Explanation:

Gainsharing is a group-based variable-pay approach that shares financial rewards with employees when their collective efforts produce measurable operational improvements, such as better productivity, quality, cost control, safety, or service. It therefore **aligns employees to organization goals**, because the incentive formula connects a team's payout to results that matter to the business. It also **enhances employees focus and awareness**: employees can see the link between daily work practices, waste reduction, process improvements, and the measures used to calculate the gain. This visibility encourages participation, problem solving, and cooperation across the work group. Finally, gainsharing **helps organization to achieve improvement in key performance measures** because it is designed around predefined, trackable performance standards and rewards sustained improvements beyond a baseline. HR should ensure that the selected measures are understandable, within employees' influence, reliably measured, and communicated consistently so the program maintains credibility and motivates joint performance improvement. The U.S. Department of Labor discusses incentive compensation as pay linked to performance outcomes, and SHRM describes gainsharing as an incentive approach tied to group productivity and operational gains. See [U.S. Department of Labor](#) and [SHRM's compensation-management resources](#).

QUESTION NO: 21

Which of the following are non-monetary rewards that a company can provide to its employees?

- A. Recognition
- B. Opportunity to learn
- C. Flexible hours
- D. Cash compensation

ANSWER: A B C

Explanation:

Recognition, opportunity to learn, and flexible hours are non-monetary rewards because they provide employees with value through appreciation, professional growth, and greater control over when work is performed rather than through direct cash payment. Recognition can reinforce desired contributions and support employees' sense that their work is noticed and valued. Learning opportunities, such as training, development assignments, mentoring, and skill-building, can enhance career capability and employability while also supporting organizational talent needs. Flexible hours are a form of work-life flexibility that can help employees manage personal responsibilities and improve their experience at work. Together, these rewards are commonly used as elements of a total rewards strategy: they complement financial compensation by addressing intrinsic motivation, development, work environment, and work-life needs. A well-designed rewards approach considers the workforce's preferences and ensures that rewards support business goals, employee engagement, retention, and an equitable employee experience. The U.S. Office of Personnel Management discusses recognition as a meaningful tool for acknowledging employee performance and contributions: [OPM—Rewarding Employee Performance](#). The Society for Human Resource Management also identifies flexible work arrangements as an important workplace benefit and practice: [SHRM—Managing Flexible Work Arrangements](#).

QUESTION NO: 22

As an HR Professional you should be familiar with OSHA forms for maintaining employee records. Which OSHA form is used to cover the what, how, when, where, and who of work-related injuries?

- A. Form 301
- B. Form 300
- C. Form 300A
- D. Form 3165

ANSWER: A

Explanation:

Form 301 is correct because it is OSHA's Injury and Illness Incident Report, which captures the detailed facts of an individual recordable workplace injury or illness. The form documents the employee involved and the circumstances of the incident, including when and where it occurred, what the employee was doing immediately before the event, what happened, how the injury or illness occurred, and the nature of the resulting condition. This incident-level detail supports accurate OSHA recordkeeping and provides the source information needed to determine and document an appropriate entry on the establishment's injury and illness log. Employers may use an equivalent workers' compensation, insurance, or internal incident-report form instead of the OSHA form only if it contains the same required information and can be produced when requested. OSHA requires covered employers to complete an incident report for each recordable injury or illness within seven calendar days of learning of the case. OSHA's [recordkeeping forms page](#) identifies Form 301 as the Injury and Illness Incident Report, and its [recordkeeping regulation](#) describes the incident-report requirement.

QUESTION NO: 23

Which of the following is a communication that damages an individual's reputation in the community, preventing them from obtaining employment?

- A. Gainsharing
- B. Constructive discharge
- C. Duty of loyalty
- D. Defamation

ANSWER: D

Explanation:

Defamation is the correct term for a false communication presented as fact that harms an individual's reputation. In the employment setting, defamatory statements may damage a current or former employee's standing in the community and may interfere with future job prospects—for example, where an employer communicates untrue allegations of dishonesty, incompetence, or misconduct to prospective employers. Defamation can occur in writing (commonly called libel) or through spoken statements (commonly called slander). To establish a defamation claim, the affected person generally must show that a false statement of fact was communicated to someone else, that the statement was harmful to reputation, and that the required level of fault was present under applicable state law. Because references and internal workplace communications can create risk when they contain false factual assertions, HR professionals should ensure that employment-related information is accurate, appropriately documented, and shared only with those who have a legitimate business need to know. California recognizes defamation as an injury to reputation under its civil statutes. See [California Civil Code sections 44–46](#) and the California Courts' [defamation overview](#).

QUESTION NO: 24

You are the HR Professional for your organization and you're working with the management to define the role of contractors versus employees in your organization. According to the Internal Revenue Service, there are three categories of control that help determine whether a person is a contractor or an employee. Which one of the following is not one of the three levels of control as defined by the IRS for employee versus contractor?

- A. Financial control
- B. Locale of work performed
- C. Behavioral control
- D. Type of relationship

ANSWER: B

Explanation:

"Locale of work performed" is correct because it is not one of the three Internal Revenue Service categories used to assess whether a worker is an employee or an independent contractor. The agency evaluates the entire working relationship using behavioral control, financial control, and the type of relationship between the parties. These categories focus on the employer's right to direct how work is done, control the business and financial aspects of the work, and define the ongoing nature and terms of the relationship. The physical location where services are performed may be a relevant fact in a particular classification analysis—for example, it can provide context about direction or independence—but it is not a standalone category in the agency's framework. Classification is determined from all applicable facts and circumstances; no individual fact automatically establishes worker status. HR should therefore document the actual working arrangement, including instructions, payment practices, benefits, contract terms, and degree of independence, rather than relying on work location alone. See the IRS guidance on [understanding employee versus contractor designation](#) and its [behavioral control factors](#).

QUESTION NO: 25

As an HR Professional you must be familiar with several different lawsuits and their affect on human resource practices today. What did the legal case, the United Steelworkers of America versus Weber regard?

- A.** The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from favoring women and minorities.
- B.** The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from using racial criteria as a method to determine workplace advancement.
- C.** The United States Supreme Court held that the Civil Rights Act of 1964 did not bar employers from voluntarily using certain race-conscious affirmative-action plans to address workplace racial imbalance.
- D.** The United States Supreme Court held that the Civil Rights Act of 1964 did bar employers from favoring minorities, but could do gender based favor.

ANSWER: C

Explanation:

The United States Supreme Court held that the Civil Rights Act of 1964 did not bar employers from voluntarily adopting certain race-conscious affirmative-action plans to address a manifest racial imbalance in traditionally segregated job categories. In *United Steelworkers of America v. Weber*, Kaiser Aluminum and the union established a training program under which half of the openings were reserved for Black employees until the percentage of Black skilled craftworkers approximated the percentage in the local labor force. The Court concluded that Title VII's purpose was not limited to prohibiting discrimination; it also supported voluntary private efforts to eliminate the effects of historical workplace exclusion. The decision permits a narrowly tailored voluntary plan when it is intended to remedy a conspicuous imbalance, does not unnecessarily trammel the interests of nonminority employees, and is temporary rather than maintaining racial preferences indefinitely. For HR practice, Weber is a foundational affirmative-action case because it recognizes that employers may take carefully structured, lawful steps to expand equal employment opportunity without waiting for a court order. The Supreme Court's decision is available through [Justia's case text for United Steelworkers v. Weber](#); see also the [EEOC's guidance on discrimination theories](#).

QUESTION NO: 26 - (SIMULATION)

The doctrine of _____ negligence was used to mitigate the employer's responsibility if the worker's actions contributed in any way to the injury.

ANSWER: See the explanation for the answer

Explanation:

The correct answer is **contributory negligence**.

Under the doctrine of **contributory negligence**, an employee who contributed in any way to their own workplace injury could be barred from recovery, thereby mitigating or eliminating the employer's responsibility. This harsh common-law defense was one reason workers' compensation systems were developed.