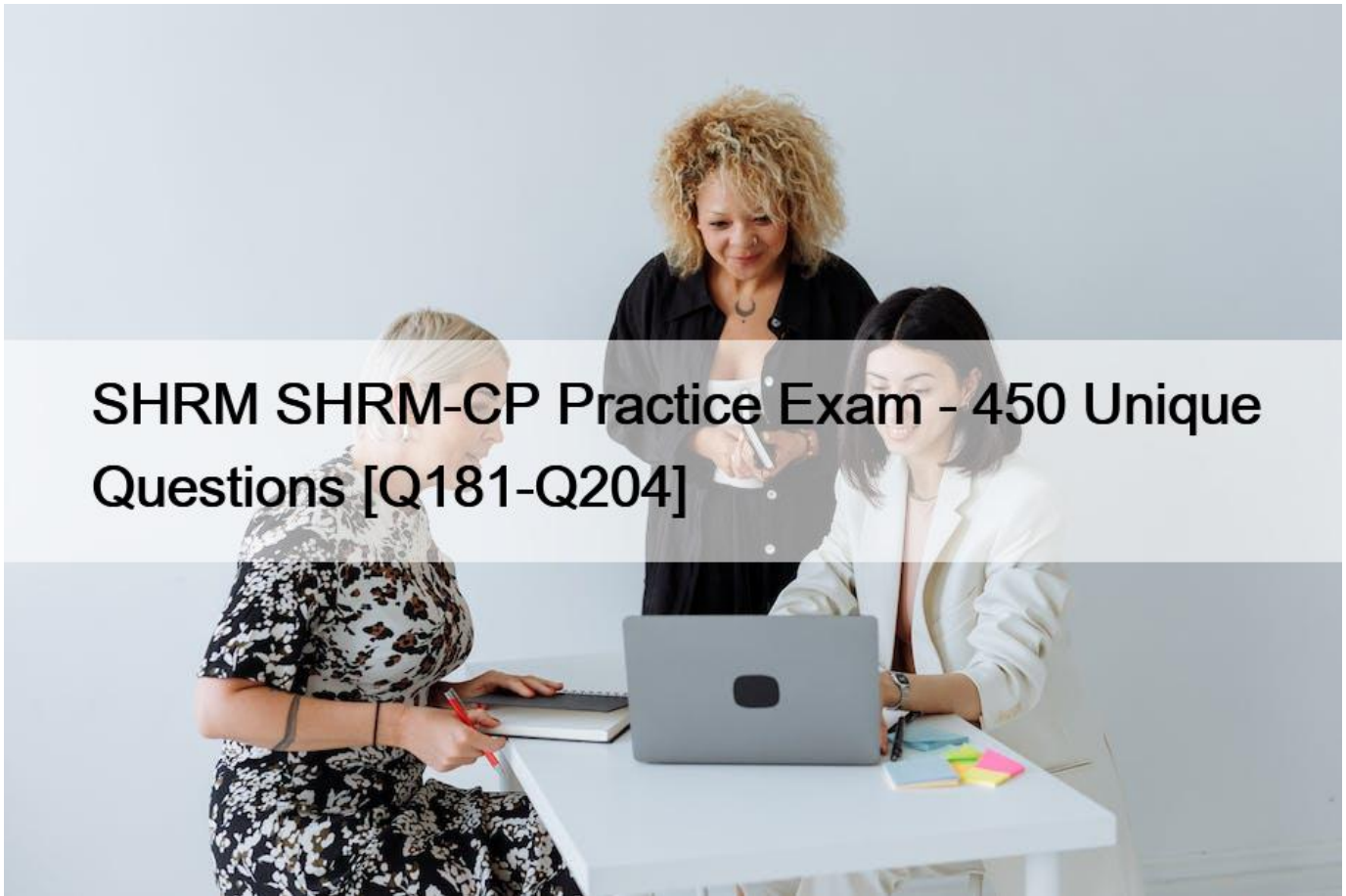


## SHRM SHRM-CP Practice Exam - 450 Unique Questions [Q181-Q204]



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**NO.181** All of the following are part of the Fair Labor Standards Act except:

- \* Minimum wage
- \* Exemption conditions for employees
- \* Work conditions for children under 18
- \* Overtime
- \* Federal service contracts

Explanation: The McNamara-O'Hara Service Contract Act (1965) covers federal service contracts, but the Fair Labor Standards Act does not. The Fair Labor Standards Act does, however, cover minimum wage requirements, exemption conditions for employees, work conditions for children under 18, and overtime. As a result, answer choices A, B, C, and D are all incorrect.

**NO.182** What are the four styles of leadership identified by the Hersey-Blanchard theory?

- \* telling, selling, participating, delegating
- \* showing, growing, sowing, bestowing
- \* managing, administrating, inspiring, following
- \* giving, taking, making, doing

Explanation: The four styles of leadership identified by the Hersey-Blanchard theory are telling, selling, participating, and delegating. This model was developed by Paul Hersey and Kenneth Blanchard in the late 1970s. The appropriate style of leadership in a particular situation depends on the sophistication and experience of the subordinates. The range, from least sophisticated audience to most, is telling, selling, participating, and delegating. Telling is explicit instruction, while selling is more general encouragement and inspiration. Participating is working alongside employees, and delegating is setting goals and assigning responsibility to others.

**NO.183** Which of the following is a provision of the Fair Labor Standards Act of 1938?

- \* All previous compensation laws are obsolete.
- \* Overtime pay must be 1.5 times the normal hourly wage.
- \* The maximum work week is 45 hours.
- \* Children may work unlimited hours, provided working conditions are safe.

Explanation: One provision of the Fair Labor Standards Act of 1938 is that overtime pay must be 1.5 times the normal hourly wage. Employers may give compensatory time off in lieu of overtime pay. An employee should receive 1.5 times as much compensatory time off as he has worked in overtime. The FLSA established that children may only work limited hours, that the maximum work week is 40 hours, and that some previous compensation laws remain valid.

**NO.184** The EEO1 filing applies to all types of employers except which of the following?

- \* Administrative
- \* Banking
- \* Education
- \* Construction

Explanation: Private employers within all forms of major educational institutions (primary, secondary, and postsecondary) are excluded from having to complete EEO1 filings. Private employers who fall within the areas of administration, banking, or construction, and have 100 employees or more, must complete the report.

**NO.185** Which of the following is not a stated category of OSHA violation?

- \* Serious
- \* Repeat
- \* Accidental
- \* Failure to abate
- \* Other than serious

Explanation: The stated categories of OSHA violations include willful, serious, other than serious, repeat, failure to abate, and de minimus (or minimal violations). Accidental is not one of the categories officially noted by OSHA, so answer choice C is correct.

Answer choices A, B, D, and E all reflect actual categories, so they are incorrect.

**NO.186** After his wife gives birth to their first child, Brian takes four weeks of FMLA leave. These are the only days of work Brian misses during the year. At the end of the year, his boss tells him that he is not eligible for a bonus given to employees who have not missed any days of work. However, his coworker Jill receives the bonus, and she had three days of paid leave after her mother died during the summer. Brian believes this is unfair and that he should receive the bonus too. Does he have a legitimate complaint?

- \* No, FMLA leave is counted differently than other forms of leave.
- \* No, neither Brian nor Jill should receive the bonus.
- \* Yes, FMLA leave should be treated the same as other forms of leave.
- \* Yes, Brian should receive the bonus, but Jill should not.

Explanation: Brian has a legitimate complaint because FMLA leave is to be treated the same as other forms of leave with regard to perfect attendance bonuses. Employers have the right to count FMLA leave against perfect attendance awards, but they must treat other forms of leave the same way. Since the employer did not count Jill's leave against her perfect attendance record, he may not count Brian's against him either. Alternatively, the employer could instead disqualify both Brian and Jill from the perfect attendance bonus.

**NO.187** According to the Labor Management Relations Act (LMRA) of 1947, if the President steps in during a labor strike, how long of a coolingoff period may he require, should the strike be deemed to have national consequences?

- \* 30 days
- \* 50 days
- \* 80 days
- \* 100 days

Explanation: The President may require a coolingoff period for 80 days, if the strike is deemed to have national consequences. In other words, if the strike has the potential to result in serious consequences to national activities, the President may get involved and require the parties to come together and discuss the issue. The options for 30 days and 50 days are too low, and the option for 100 days is too high. (It should be noted that the President does not have to require the full 80 days, but the full 80 days is provided as an option.)

**NO.188** Which of the following is not a step in the strategic planning process?

- \* Environmental scanning
- \* Formulating strategy
- \* Creating business plan
- \* Implementing strategy
- \* Making adjustments to strategy

Explanation: Creating a business plan, while useful for businesses that are in their early stages, is not an identifiable step within the strategic planning process that a human resources professional may complete. On the other hand, completing an environmental scan (answer choice A), formulating a strategy (answer choice B), implementing that strategy (answer choice D), and adjusting the strategy (answer choice E) are all significant steps in the strategic planning process. It is important to bear in mind that strategic planning is related largely to a company's future goals for growth and improvement.

**NO.189** The Fair Labor Standards Act (FLSA) has two significant amendments that have been added since the legislation was first passed in 1938. One of these amendments forbids any type of discrimination based on the employee's gender. Which of the following reflects this amendment?

- \* Portal to Portal Act
- \* Equal Pay Act
- \* Davis Beacon Act
- \* National Labor Relations Act

Explanation: The Equal Pay Act, created in 1963, forbids any type of discrimination based on the employee's gender. The Portal to Portal Act of 1947, determined that employers cannot be required to compensate employees who commute long distances to work. The Davis Beacon Act was created in 1931, and the National Labor Relations Act was created in 1935; both fall before the

legislation of the Fair Labor Standards Act of 1938, so both are irrelevant.

**NO.190** Which of the following is closest to the national LWDI average for privatesector organizations?

- \* 250
- \* 25
- \* 2.5
- \* 0.25

Explanation: The national lost work day index (LWDI) average for privatesector organizations is approximately 2.5. This means that there are about 2.5 lost work days per day for every hundred employees. This figure is calculated by the Occupational Health and Safety Administration. LWDI is calculated by dividing the number of workdays missed because of personal injury for each hundred employees, dividing by the total number of employees, and then multiplying by a hundred.

**NO.191** Abbey, the head of the human resources department for a book distribution service, accidentally discovers information about one of the company employees. She learns that the employee has a genetic disease that could potentially affect the employee's ability to continue in the job. According to the Genetic Information Nondiscrimination Act of 2008, all employee genetic information is private, and companies are not allowed to locate or make decisions based on employee conditions. Now that Abbey has discovered this information, what is her responsibility?

- \* Abbey is required to report the information to her superiors, but they will not be allowed to alter the employee's work situation
- \* Abbey must inform the Department of Labor about her inadvertent acquisition of the knowledge
- \* Abbey must let the employee know what she has discovered and counsel the employee to consider requesting a change in the employee's job situation
- \* Abbey must place the information in the employee's company file, but it cannot be accessed unless absolutely necessary
- \* Because the information was gained accidentally, Abbey is not legally responsible for it, but she is not allowed to divulge any of the information or change the employee's working situation

Explanation: The Genetic Information Nondiscrimination Act of 2008 does not make employers responsible for information acquired by accident. With that information, however, employers have no legal right to make decisions or change an employee's work situation, so Abbey's only option is to keep the information to herself and take no action. Answer choice A is incorrect because the law does not require Abbey to report the employee's personal information to her superiors, nor should she take such a step. Answer choice B is incorrect because the Department of Labor does not need to be updated on this type of individual employee information (and reporting it could make Abbey legally responsible for divulging an employee's personal details). Answer choice C is incorrect because Abbey has no legal responsibility to discuss the situation with the employee, nor should she counsel the employee about changing the work situation. Answer choice D is also incorrect because employee genetic information if obtained by accident should not be documented. In fact, documenting it could create legal problems for the company, so Abbey's only choice is to proceed as though she does not know the information.

**NO.192** Pattern bargaining, whipsawing, and leapfrogging are all alternate names for which of the following collective bargaining strategies?

- \* Singleunion bargaining
- \* Multiemployer bargaining
- \* Parallel bargaining
- \* Multiunit bargaining

Explanation: Pattern bargaining, whipsawing, and leapfrogging are all alternate names for parallel bargaining. Singleunit bargaining has no alternate names. Multiemployer bargaining also has no recognized alternate names. Multiunit bargaining is also known as coordinated bargaining.

**NO.193** The largest number of workrelated injuries and health problems in the United States each year belong to which of the following categories?

- \* Jobrelated stress

- \* Excess physical output
- \* Poor ergonomics
- \* Psychological strain

Explanation: Poor ergonomics result in the largest number of workrelated injuries and health problems in the United States each year. Jobrelated stress and psychological strain no doubt contribute to a number of problems as well, but these areas are much more difficult to quantify. Excess physical output would apply largely to jobs with high physical activity &#8211; which is not necessarily a high percentage of jobs in the United States &#8211; whereas poor ergonomics can affect employees in almost every job.

**NO.194** Which of the following is not a recognized type of picketing?

- \* Organizational
- \* Informational
- \* Petitional
- \* Recognitional

Explanation: A &#8220;petitional&#8221; form of picketing does not exist. The recognized forms of picketing are as follows: organizational, informational, and recognitional.

**NO.195** If Congress passes a bill while in session, and whether or not it is signed by the President, that bill becomes law within how many days?

- \* 10 days
- \* 12 days
- \* 15 days
- \* 20 days

Explanation: If Congress passes a bill while in session, and whether or not it is signed by the President, that bill becomes law within 10 days. The other answer choices-12 days, 15 days, and 20 days-are all too high.

**NO.196** The head of the administrative department for a major university has asked Raisa, a human resources professional at the school, for a teambuilding exercise that will benefit the administrative department. The administrative department is composed of employees who work closely together daily but often run into conflicts that indicate a clash of personalities. The department head hopes to find a teambuilding exercise that will improve the relationships among staff members in the department. Which of the following should Raisa recommend to the department head?

- \* A team obstacle course
- \* Roleplaying situations
- \* Team scavenger hunts
- \* The MeyersBriggs Type Indicator
- \* Reallife scenario recreation

Explanation: In the workplace, the MeyersBrigg Type Indicator is primarily used as a personality test to enable individuals to understand their personalities better and to assist staff members in appreciating how to interact with their coworkers more effectively. Due to the nature of the administrative department and its situation &#8211; employees who work together quite frequently and run into personality conflicts &#8211; the MeyersBrigg test will be Raisa&#8217;s best recommendation. Answer choices A and C are incorrect because research has suggested a lack of longterm value in teambuilding activities such as obstacle courses and scavenger hunts. Answer choices B and E are also incorrect: while roleplaying situations and reallife scenarios might be beneficial to those who work in highly active and often sensitive fields, they will not necessarily be as useful for employees whose jobs is more focused around completing and maintaining paperwork for a university.

**NO.197** Which case first defined employment atwill?

- \* Payne v. The Western & Atlantic Railroad Company (1884)
- \* Burlington Industries v. Ellerth (1998)
- \* Albemarle Paper v. Moody (1975)
- \* Griggs v. Duke Power (1971)

Explanation: Payne v. The Western & Atlantic Railroad Company (1884) first defined employment atwill. In this case, the

Tennessee Supreme Court ruled that employment at will is an arrangement that either side may terminate at any time. Of course, this definition led to many abuses by employers until subsequent legislation clarified the rights of workers.

**NO.198** Which of the following best represents what an employer can do when employees begin to unionize?

- \* Employers may contact union leaders and forbid unionization.
- \* Employers may block employees who begin the process of unionization
- \* Employers may threaten to replace workers who choose to unionize
- \* Employers may explain problems with unionization to employees
- \* Employers are not allowed to discuss unionization with employees

Explanation: When an employer discovers that employees are beginning to unionize, the employer is not allowed to prevent unionization. The employer can, however, provide information to employees about the problems involved with unionization. Answer choice A is incorrect because the employer may not contact union leaders and forbid unionization. Answer choice B is incorrect because employers are not allowed to block employees who begin to unionize. Answer choice C is incorrect because employers may not threaten to replace workers who choose to unionize (although employers may replace workers during a lawful economic strike). Answer choice E is incorrect because employers are allowed to discuss unionization with employees; however, the substance of that discussion can be restricted by law.

**NO.199** Which of the following federal agencies is responsible for enforcing corporate governance?

- \* SEC
- \* EEOC
- \* MSHA
- \* OFCCP

Explanation: The SEC is responsible for enforcing corporate governance. The EEOC and the OFCCP enforce civil rights laws. MSHA is the Mine Safety and Health Act of 1977, so it is not an enforcing agency. This particular piece of legislation focuses on the specific requirements for mine workers and does not enforce corporate governance in general.

**NO.200** Which of the following is NOT a source of motivation identified in McClelland's acquired needs theory?

- \* achievement
- \* power
- \* affiliation
- \* wealth

Explanation: Wealth is not one of the sources of motivation identified in McClelland's acquired needs theory. According to McClelland, people are driven to pursue achievement, affiliation, or power. Those who seek achievement will take some risks and listen to constructive criticism. However, these people want to ensure that they have responsibility for their work, because having a sense of ownership over the completed task is important for them. People who are motivated by affiliation seek to be accepted by their colleagues and peers. These people should not be isolated. People who seek power want to exert control over people or processes.

**NO.201** The Federal Unemployment Tax Act (FUTA) applies to all employers to some extent. For two employee groups, however, FUTA has different stipulations: farm workers and which of the following?

- \* Construction workers
- \* Domestic workers
- \* Service workers
- \* Sales workers

Explanation: Farm workers and domestic workers have different stipulations under FUTA. Construction workers, service workers, and sales workers all fall under the regular requirements of FUTA.

**NO.202** Which of the following is not included as a job category under the EEO1 report?

- \* Sales workers
- \* Service workers

- \* Craft workers
- \* Medical workers

Explanation: Medical workers are not identified as a separate category under the EEO1 report. Sales workers, service workers, and craft workers, however, all represent separate EEO1 categories.

**NO.203** Employers with a minimum of how many employees are required by federal law to complete OSHA forms?

- \* 6
- \* 11
- \* 14
- \* 17

Explanation: Employers with at least 11 employees are required to complete OSHA forms. A business with only 4 employees does not have to complete the forms (although this might be recommended). Businesses with 14 or 17 employees fall well within the OSHA requirements.

**NO.204** Before a newly forming labor union may submit a demand for recognition to the employer, what step must occur?

- \* Petition the NLRB for voluntary recognition
- \* Establish a bargaining position for the union
- \* Acquire signed authorization cards from employees
- \* Meet with the employer to discuss alternatives

Explanation: Before submitting to the employer a demand for recognition, the labor union must acquire signed authorization cards from employees. This essentially provides an official statement from employees about their intent to unionize and lets the NLRB know that unionizing activity has support from employees. Petitioning the NLRB for voluntary recognition occurs next. Establishing a bargaining position and meeting with the employer to discuss alternatives are activities of the union itself, but they are not part of the actual unionization process.

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