

The Ultimate Approval

Dr. Pearson **developed** and subsequently **computerized the ultimate personality-testing instrument**. It has been adjudicated and approved by a federal court as meeting the stringent guidelines for testing outlined in Equal Employment Opportunity Commission's Title 29 of the Code of Federal Regulations: 1607 **Uniform guidelines on employee selection procedures** (1978)(29 CFR 1607). This may be reviewed at www.eeoc.gov/regs under "Existing Regulations."

A class action discrimination complaint filed September 19, 1975 by the Equal Employment Opportunity Commission (EEOC), Plaintiff, V. Adolph Coors Company, Defendant, with respect to their purported violation of 703 (a) of Title VII:

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

Dr. Pearson was retained on a full-time basis by the Adolph Coors Company as the expert witness to prepare a definitive statistical defense regarding their employment practices including:

- 1) applicant and incumbent **testing** (one of the tests under scrutiny was Dr. Pearson's **Behavioral Characteristics**, the PBC, which is now known as the MindData Attitude Index, and
- 2) **Affirmative Action Plans**.

Efforts by Dr. Pearson involved intense hands-on **job analyses** of approximately 1,000 jobs, development of **performance rating** forms for the jobs at the Adolph Coors Company, administration of performance rating forms involving over 3,000 Coors, employees, statistical data analyses and the preparation of company wide Affirmative Action Plans.

The extensive litigation preparation of data by Dr. Pearson took **two (2) years** and culminated in a Settlement Agreement. The **Affirmative Action Plans** and **Validation Studies**, including the one referred to as the **PBC**, now known as MindData Attitude Index, was recognized by a Federal Court and the EEOC as a non-discriminatory, valid, color-blind and gender neutral instrument that does not invade one's right to privacy or abridge one's constitutional right against self-incrimination were considered professionally correct for rebutting the charges of discrimination.

The settlement Agreement document is on file in the Federal Court House of Denver Referenced as:

Settlement Agreement
In The United States District Court
For The District Of Colorado
Civil Action No. 75-W-992

Equal Employment Opportunity Commission,
Plaintiff,
Versus
Adolph Coors Company; Brewery Workers Local No. 366; and
International Union of Operating Engineers, Local No. 9, AFL-CIO,

