EXPERT REPORT IN THE MATTER OF

Moussouris v. Microsoft

SUBMITTED BY:

Ann Marie Ryan, Ph. D.

October 26, 2017
Ann Marie Ryan, Ph. D., hereby submits the following Expert Report:

I. Statement of my qualifications.

1. I am Ann Marie Ryan, professor of organizational psychology at Michigan State University in East Lansing, MI. I have been employed at Michigan State for 21 years as an associate and then full professor; prior to that I served as an assistant and then associate professor at Bowling Green State University for 9 years. I received my Ph. D. from the University of Illinois in 1987. In my career, I have authored over 125 articles and numerous book chapters on topics related to employment decision-making, discrimination and fairness in the workplace (see Appendix A for vita). I have taught courses on employee selection, diversity and organizational justice. I am a past president of the Society of Industrial and Organizational Psychology (“SIOP”), past editor of the journal Personnel Psychology, and past associate editor of American Psychologist and currently serve on a number of editorial boards. In 2011, I received the Distinguished University Professor Award from MSU. In 2013 I received SIOP’s Distinguished Teaching Contributions Award, as well as the Sage Award for Outstanding Scholarly Contributions to Study of Diversity from the Academy of Management. I am a Fellow of SIOP and the American Psychological Association (Divisions 5 & 14). I have served on numerous technical advisory boards and committees, including for the Department of State and the Department of Defense, as well as on panels for the National Academy of Sciences. I have consulted with large and small, public and private organizations regarding the fairness of their employment processes.

2. My hourly rate for work on this matter is $225 an hour.

II. Aim of assignment.

3. I was retained to evaluate the process used at Microsoft to support compensation and promotion decisions since 2010. I understand the proposed class period in this matter begins in 2012.

III. Materials considered and relevant background guidance.

A. Materials Considered

4. Appendix B lists materials provided to me and reviewed in preparing this report.

B. Guidance Documents

5. The methods and principles of the field of industrial/organizational (I/O) psychology apply to the process used by Microsoft for personnel decisions. The Principles for the Validation and Use of Personnel Selection Procedures (SIOP 2003) (“The SIOP Principles”) provide guidance regarding the development and implementation of such procedures. The SIOP Principles define selection procedures as “any procedure used singly or in combination to make a
personnel decision…”¹ and then define personnel decisions as “employment-related decisions to hire, train, place, certify, compensate, promote, terminate, transfer, and/or take other actions that affect employment status.” Thus, the process used by Microsoft in making compensation and promotion decisions is subject to the SIOP Principles. The Uniform Guidelines on Employee Selection Procedures also apply to the procedures used by Microsoft, as they similarly note they “apply to all selection procedures used to make employment decisions.”²

6. In preparing this report, I also referred to (see Appendix C for a complete listing):
   - Published scholarly research on compensation, promotion and performance evaluation processes
   - Published scholarly research specifically on indicators of and contributors to bias and adverse impact in these systems
   - Published scholarly research on validation practice

7. The key focus in evaluating systems used in personnel decision making is whether there is sufficient validation evidence to support inferences made. In this report, I examine whether Microsoft has provided sufficient evidence to support inferences made from this process regarding compensation and promotions.

IV. General description of Microsoft’s compensation and promotion systems.

8. Microsoft’s Calibration/People Discussion process (which I use to refer to both the process for assessing and recommending employee promotions and the year-end meetings formerly called “Calibration Meetings” and now called “People Discussions” that result in recommendations for employees’ pay and whether they should be promoted) intertwines compensation and promotion decisions. While some revisions have been made since 2010, the essential elements of the process have been constant.

9. As relevant to the Calibration/People Discussion process, Microsoft developed a competency model that is used across jobs—including the jobs at issue here, i.e., those in the Engineering and IT Operations Professions—to indicate required knowledge, skills and abilities to be successful. The competency model serves as input to the Career Stage Profiles, which were created between 2011 and 2013 and serve to indicate the scope, impact and complexity for various disciplines and professions within Microsoft. This architecture of the competency model

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¹ The SIOP Principles at 3.
and Career Stage Profiles purportedly serves as the basis for connecting Microsoft’s compensation and promotion decisions to job requirements. Specifically, a Career Stage Profile provides information on key results and competencies associated with specific career stages. In this report, I will discuss how well the alignment of these decisions to what the job requires is made.

10. In brief, the processes for the specific decisions involve:

   **Compensation Level:** The focus of this report is on pay level as the term is used within Microsoft’s compensation framework (‘‘level’’). There are typically two levels within a career stage where an individual can be placed. Pay decisions are recommended following, and as part of, the Calibration/People Discussion process. Other factors influence compensation, such as discipline and geography.

   **Promotion:** Promotion decisions likewise typically come out of the Calibration/People Discussion process, and, as with rewards, are finalized at higher levels. The promotion guidance at Microsoft states that promotion decisions are based on three criteria: business need, employee performance and budget availability.

   **Performance Evaluation:** The Calibration/People Discussion process also involves a discussion of employee performance, but Microsoft’s systems do not permit the translation of performance to pay and promotion decisions in a reliable manner.

11. To evaluate the validity of inferences made as to who Microsoft would reward (i.e., compensate, promote), I examined how Microsoft’s processes align with professional guidance. The aspects of compensation, promotion and performance evaluation at Microsoft that I examined are:

   **Metrics/Inputs:** This would include Microsoft’s competency model and associated Career Stage Profiles, and more specifically how they were and were not used in making compensation and promotion decisions.

   **Implementation via the Calibration/People Discussion Process:** This includes what guidance is given, tools and forms used, specific training provided, and the actual steps undertaken when decisions are made.

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4 Whittinghill Dep. Ex. 8.
5 MSFT_MOUSSOURIS_00737357.
6 Up to 2011, a system of a commitment rating and a contribution ranking was used to evaluate performance. In 2012 and 2013, a forced distribution rating system was used to determine performance evaluations. In 2014, the forced distribution system was removed.
V. Summary of conclusions

12. Based on my review, I conclude that there is no evidence that compensation and promotion decisions are made reliably at Microsoft and that the Calibration/People Discussion process, including associated pay and promotion decisions, is valid. Here it is important to distinguish calibration as used at Microsoft—which does not calibrate raters in their use of job-related standards across employees, but instead calibrates employees as to relative performance within a group.

13. Microsoft does not have sufficient evidence to support the reliability and validity of the process used in making decisions regarding compensation and promotion. Specifically:

i. The Calibration/People Discussion process associated with compensation is unreliable and invalid in a number of respects: (a) job-relatedness of the process for moving employees across levels within a career stage, with the associated increase in compensation, is not established, and those pay decisions are unreliable and unjustified (i.e., Microsoft does not provide clear, job-related guidance as to how to distinguish levels within a career stage); and (b) the mechanism through which Microsoft translates measures of performance into compensation is flawed.

ii. The Calibration/People Discussion process associated with promotions is unreliable and invalid in a number of additional respects: (a) Microsoft’s promotional process, including the promotion tool, is not aligned sufficiently with job requirements, meaning that the basis for promotion decisions is not adequately linked to the stated job requirements; and (b) Microsoft’s promotion process lacks sufficient standardization to ensure that decisions are made on comparable job related information and criteria across employees.

iii. The Calibration/People Discussion process as a whole lacks standardization which then undermines the reliability and validity of pay decisions, and Microsoft’s guidance does not prescribe weights to specific factors in decision making so evaluators were free to weight competencies and key results in ways not aligned with job requirements.

iv. Microsoft’s compensation and promotion process was insufficiently monitored in order to ensure reliable and valid decisions were made.

VI. Microsoft does not provide clear, job-related guidance as to how to distinguish levels within a career stage for compensation decisions. The job-relatedness of the process for moving within a career stage is not established. [Conclusion i(a) above.]

14. The Career Stage Profiles provide insufficient information and guidance as to distinguish levels within a career stage, which serves to de-link job requirements and associated
pay. There is no evidence that those within-career stage pay increases are made on job related bases following any of the processes that accompany other aspects of these systems.

15. The Career Stage Profiles were meant to serve as a primary tool for evaluating an individual’s promotion readiness and ability to receive a change in pay level. Prior to the competency model update in 2011-2013, there were guidelines as to what constituted developing, full and exceptional performance within a career stage. However, as of the start of the class period, Microsoft had removed such information and replaced it with the “key results” for each career stage. While Career Stage Profiles outline what key results and competencies might differ or be similar across stages, they are silent as to differences within career stage. Managers are not given guidance as to what constitutes differences in key results or competencies but are asked to make judgments to determine level within career stage.

16. An analogy would be if one had criteria for what constitutes an A or a B grade, but did not explain (but did award) A- and B+ grades, and the difference between A- and B+ was meaningful in terms of pay. Microsoft’s promotion guidance (e.g. Exhibits 43 and 48 of the Ritchie Deposition) directs decision makers to consider delivery on key results in making a decision to change compensation level, but these key results are not different for different levels within a career stage. Clear guidance as to how those further differentiations within a career stage are made and how they link to job requirements is needed, given that these are key promotion and compensation decisions. Without an indication as to how job requirements differ across levels within a job stage, Microsoft does not provide sufficient job-related evidence as to why such differentiation in pay level is supported.

VII. Microsoft’s promotion process is not aligned sufficiently with job requirements. The basis for promotion decisions is not adequately linked to what Microsoft has outlined as requirements in the Career Stage Profiles. [Conclusion ii(a) above.]

17. The SIOP Principles state that “The essential principle in the evaluation of any selection procedure is that evidence be accumulated to support an inference of job relatedness. Selection procedures are demonstrated to be job related when evidence supports the accuracy of inferences made from scores on, or evaluations derived from, those procedures with regard to some important aspect of work behavior.” It is important to note that “validity resides not in the instrument, procedures, or processes of assessment, but in the evidence supporting the particular inferences we are planning to make based on them.” The Principles and Standards note that there are a variety of sources of evidence that can be used in evaluating a proposed interpretation of a score for a particular use (i.e., a decision to promote or not). In this case, that might include things such as evidence of relationships between promotion decisions and other variables that

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7 MSFT_MOUSSOURIS_00591188.
8 MSFT_MOUSSOURIS_00591188 at slide 16.
9 MSFT_MOUSSOURIS_00467139
10 Deposition of John Adrian Ritchie, dated June 29 and June 30, 2016 (“Ritchie Dep.”).
11 The SIOP Principles at 4.
12 McPhail, SM & Stelly, DJ, Validation strategies at 672.
indicate work-relevant behavior or logical or empirical analyses that compare the adequacy of
the match between the promotion decision criteria and job requirements.

18. Microsoft’s competency model and Career Stage Profiles is outlined in several
documents; however, this documentation does not provide evidence to support how
compensation level and promotion decisions are determined. That is, the documents discuss a
content validation process to support linkages of competencies to career stages as well as an
empirical study to connect competencies to job performance, but the documentation fails to
explain how change in level within career stage is based on valid inferences regarding employee
suitability for the next level.

19. Moreover, Microsoft allows an open-ended justification for promotion decisions;
however, evidence should be provided that these open-ended reasons address all three of
Microsoft’s promotion criteria (budget availability, business need, and employee performance).
As an example, Exhibit 8 of the Ritchie Deposition shows that for the promotion justification,
managers complete an open-ended text box in the promotions tool, and prior to use of the
promotions tool, managers were not instructed on how to justify promotions in the Performance
at Microsoft tool. Evidence showing that the types of justifications provided by managers are
ones that are job-related performance reasons, reflect business necessity and budget availability
(the 3 criteria for promotions) should be provided.

20. More specifically, validation evidence to support that managers were making
inferences based on job related information would include an analysis of promotion justifications
to show that they indicated information about the key results specific to a given career stage
profile and/or competency levels associated with that stage. The Career Stage Profiles suggest
that one should be considering different key results and different competencies for different
promotion decisions (i.e., different criteria for a level 3 to level 4 than a level 4 to level 5
promotion in a given discipline). The open-ended rationale for promotion without direct
requirement of referring to each of the job relevant differentiators outlined in the Career Stage
Profiles allows decision makers to use varied criteria across individuals for the same decision, to
use irrelevant criteria (i.e., not clearly tied back to the established Career Stage Profiles), or to
use different standards or weighting of the same criteria. Indeed, the 1000 character limit in the
promotions tool for promotion justification indicates a limit that might preclude discussing all
relevant key results and competencies. The guidance for promotion asks the manager to review

13 MSFT_MOUSSOURIS_00187720.
14 MSFT_MOUSSOURIS_00859406.
15 See also MSFT_MOUSSOURIS_00737187 (explaining how to populate the promotion “detail
box” with brief summary).
16 Ritchie Dep. at 536.
17 MSFT_MOUSSOURIS_0041064 at slide 2.

1251
the employee’s Career Stage Profile, but there is no evidence that decision makers were using information in a reliable manner to justify decisions.

21. A specific example may be helpful to illustrate the problems with the vague and undefined criteria. If two individuals were under consideration for a promotion from a Stage 3 to Stage 4 software engineer, one would expect each to be evaluated on the same job relevant factors (e.g., whether each is able to meet the standards for the next level of key discipline results in areas like Product and Service Design). The Career Stage Profile specifies many differences between these two stages in core competencies, discipline specific competencies and expected key results. The pay level decision justification does not require documentation of readiness on each of these many differences, but directs the decision maker to make an overall assessment of successful delivery of key results that indicates readiness for greater scope. Note that Microsoft’s training on promotion guidance\textsuperscript{18} notes that in addition to showing mastery of current levels, employees should show “clear, sustainable signs of delivering at the next level.” This vague guidance does not resolve, and in fact exacerbates, the identified problems.

22. Microsoft’s guidance for “reasons for promotion” and “reasons for non-promotion” highlights this concern. For non-promotion, before 2014, managers could choose “employee not ready” from a drop down menu but were not required to clearly link the reason to specific job requirements\textsuperscript{19}; after that time period, managers can indicate a lack of competencies as a rationale for the decision but did not have to specify which competencies were lacking. This indicates that the promotion process is not aligned with job requirements. As an example, a manager could justify a promotion decision for one employee based on key results delivery while ignoring whether an employee has the specified next level competencies, while denying another employee a promotion based on a lack of next level competencies even if he/she has delivered key results.

23. Finally, a related problem is that reasons given for non-promotion are non-specific (has not demonstrated skills; employee performance); job-relatedness would need to be established by indicating what needed skills are lacking or what aspects of performance are insufficient. When a decision is made not to promote, evidence to support the validity of inferences (i.e., “not ready,” “lacks competencies”) should be provided. For example, if employee performance is a reason for non-promotion, then evidence can be provided to show that employees for whom this reason is given have lower performance evaluation ratings than those who are promoted and moved up a level. Similarly, if the rationale is a lack of readiness due to insufficient skills or competencies, the connection to the Career Stage Profile level requirements for competencies should be clear (i.e., which competencies) and consistently considered for all candidates similarly situated. Managers were not given sufficient guidance in linking rationales to job requirements.

24. The validity of inferences regarding non-promotability needs to be supported with evidence that these reasons are valid and not just a pretext for a decision. Because promotion

\textsuperscript{18} MSFT\_MOUSSOURIS\_00209166.
\textsuperscript{19} Ritchie Dep. at 536.
decisions have been decoupled from a complete application of the differentiating information in the Career Stage Profiles, the validity of inferences made regarding compensation and promotion can be questioned. Validation evidence for promotion/level decisions could take many forms, as the Principles and Standards note; however, insufficient evidence was provided by Microsoft for the decisions made about promotion and compensation level of individuals.

VIII. The Calibration/People Discussion process as a whole lacks standardization in many factors known to influence the reliability and validity of pay decisions (including how performance translates into pay setting). Microsoft’s guidance did not prescribe weights to factors in decision making so evaluators were free to weight competencies and key results in ways not aligned with job requirements as relevant for promotion. [Conclusions i(b), ii(b) and iii above]

25. There are two ways in which Microsoft’s use of vague and unweighted criteria calls into question the reliability and validity of the process: the lack of standardization in how factors are evaluated and the lack of standardization in the process itself.

   i. Decision makers were allowed to use shifting standards in making compensation and promotion decisions. Microsoft’s guidance did not prescribe weights to factors in decision making so evaluators were free to weight competencies and key results in ways not aligned with job requirements.

26. Microsoft’s competency model indicates different competency levels and key results should be considered for movement across certain compensation levels than for others, yet no clear or consistent weighting of these factors was indicated in guidance to managers on promotions.

27. Factors considered in making compensation level and promotion decisions should be the same across employees within the same role. For example, a competency such as Impact and Influence is not systematically ignored in evaluations of some individuals for promotion but considered in evaluations of others who are being considered for the same level-to-level movement within a discipline. As another example, an evaluation of whether an employee is achieving a specific key result associated with a position is not made without considering the same types of information as for other employees similarly situated who are being evaluated.

28. For the period of 2011-2013, while some guidance indicated equal weighting of what, how and proven capability, Microsoft’s guidance on evaluation specifically states “There are no prescriptive weights associated with the three inputs, and no formulaic weighting should be applied.” Also, pages 126 to 128 of the Ritchie Deposition note that “what” and “how” could be weighted differently by different managers. (“What” refers to the key results in the Career Stage Profiles while “How” refers to the competencies in the profiles; these are

20 MSFT_MOUSSEOURIS_00222726 at Slide 9 (notes).
21 Ritchie Dep. Ex. 3 at 12.
removed in more recent iterations of the process and replaced with considerations of impact. While a different weighting according to role is not problematic and indeed can be indicated by role requirements (as noted in the next paragraph), the ability to use different weights for individuals within the same role is problematic. Subsequent to 2014, during the “MRT” use, managers were directed to assess impact using a slider\(^\text{22}\); again this does not indicate a specific connection to the career stage profiles,\(^\text{23}\) and the guidance says there are no assigned weights.\(^\text{24}\) Evidence would need to be provided to show that there is not a systematic differential use of the process such that the actual weighting of factors (e.g., performance on a specific technical competency, achievement of a given key result) was not different for individuals in the same roles.

29. Microsoft does provide evidence of required differential considerations based on job analytic information for movement across different levels in the same discipline via its Career Stage Profiles. However, these job-related considerations were not translated at all into the compensation and promotion decision process, and there is no evidence that any such reliable implementation occurred. Notably, the Career Stage Profiles provide that certain competencies and certain key results—should be given more weight than others, but there is no evidence that the promotion readiness and compensation evaluation decision reflected that differential attention and weighting. For example, if one is considering software engineers for a promotion from Stage 3 to Stage 4, the Career Stage Profile indicates one should pay specific attention the core competency requirements for Collaboration, Influencing for Impact, and Judgment, because these are indicated as changed job requirements at the higher level. At the same time, Adaptability, Customer Focus and Drive for Results are described as not changing between Stage 3 and 4 for engineers, suggesting they are not changing requirements.\(^\text{25}\) This would suggest a job-related promotion decision would consider the first three in evaluating readiness to take on greater scope in a different manner than the latter three. Overall, Microsoft’s Career Stage Profiles suggest that judgments of readiness for moving from one level to the next should consider competencies and key results where requirements change differently than those where the requirements are similar to those at earlier stages. However, none of the documentation related to promotion decisions, including the promotion decision forms, require raters to make any such considerations in their decisions, and there is no evidence that they did consider this in making decisions regarding compensation.

30. Instead, promotion guidelines direct managers to review the Career Profile and the key results for a stage to determine if an employee is consistently delivering results aligned with that stage and to ask three questions whether the employee is delivering results in a manner that indicates readiness for greater scope, in a manner that demonstrates ability to be successful in a higher role, and with a history of taking on more challenging work. Managers provide a promotion justification based on this analysis as well as considerations of business need and

\(^{22}\) MSFT_MOUSSOURIS_00736700.
\(^{23}\) MSFT_MOUSSOURIS_00797298.
\(^{24}\) MSFT_MOUSSOURIS_00737179; Ritchie Dep. 196.
\(^{25}\) MSFT_MOUSSOURIS_00006414 to 6416.
budget availability. However, the justification – the reason for promoting an individual – is not linked to the specific aspects of greater scope noted in the Career State Profiles.

31. Thus, the structural disconnect between the compensation and promotion processes as implemented and the Career Stage Profile listing of job requirements is a significant critical defect.

**ii. Microsoft’s system precludes an appropriate translation of performance to pay and promotion decisions.**

32. Microsoft did not standardize what was evaluated and how it was evaluated in making compensation and promotion decisions. Specifically, there is a lack of standardization in: (a) types of information serving as input into compensation and promotion; and (b) the specific procedures for discussing and making compensation and promotion decisions.

a) There is variability in information gathered and prepared as input into the evaluation of individuals for compensation level change.

33. The types of information considered in evaluating an individual for personnel decision making purposes should be similar across employees that are similarly situated. That is, if a male and female employee are both being considered for the same promotion in the same discipline, what information is gathered to evaluate one should be the same types of information gathered to evaluate the other.

34. The promotion process at Microsoft lacked standardization in what information came into discussions. While there is some general guidance to Microsoft managers to consider work products and conversations with others as input, the quantity and nature of information serving as input into compensation level and promotion decisions varied. Specifically, a manager does not have to note anywhere what information was gathered to inform ratings and decisions and no systematic documentation of discussions is required. Those attending calibration/people discussion meetings were given options as to what information to bring to the discussion of ratings and decision-making meeting – a one page summary, a draft performance assessment, and/or a performance summary written by the employee – so different types of information might be available for different employees. On page 149 of the Ritchie Deposition it states: “You can take whatever makes the most sense for the meeting you are attending” and in the recent guidance for People Discussions it says that one can bring a “Rewards Justification summary (or some other form of highlights or notes on employee’s key business impact)”.

These statements indicate that managers may be bringing different pieces of information with them into the meeting where comparisons of employees and decisions regarding movement across compensation levels are made.

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26 Ritchie Dep. at 129-30.
27 Id. at 133-35.
28 MSFT_MOUSSOURIS_00878980.
b) The structure of Calibration/People Discussion Meetings set up unreliable comparisons.

35. There are inconsistencies in:
   - what information was available at a given meeting where these decisions were discussed,
   - how the process of evaluating employee performance and potential was conducted, and
   - how it was determined which employees were discussed in direct comparison to one another.

36. What information was available at a meeting: I have already noted that Microsoft did not standardize what information was used in evaluating employee performance and promotability. In addition to that, Exhibit 3 of the Ritchie Deposition notes that HR would determine whether prep sheets are used for the calibration meeting and what data fields would be on those prep sheets; in the subsequent use of People Discussions there is a similar lack of standardization of information brought to the discussion.\(^{29}\) That is, if Employee A were in Calibration Group/People Discussion Group 1 and Employee B who holds the same role happens to be in Group 2, the types of information on each employee considered in the meeting, where compensation level and promotion decisions are discussed, might differ. The same types of information should be available on all employees within the same role, unless a clear job-related justification for differentiation is provided.\(^{30}\)

37. Overall, there is no evidence that compensation and promotion decisions (i.e., changes in levels within or across career stages) are made reliably and, in fact, the processes contain numerous critical defects.

38. There is no evidence that Microsoft decision-makers can use the criteria consistently (i.e., would rate the same “stimulus” employee the same way, or would make the same promotion decision, given the same information). This evidence could be established by having a check on interrater reliability during training. There is also no evidence that they did so operationally (i.e., two supervisors of the same employee evaluate that employee similarly) as

\(^{29}\) MSFT_MOUSSOURIS_00878980.

\(^{30}\) Additionally, there are inconsistencies in who attended meetings. Exhibit 3 of Ritchie shows that HR decided who would be in calibration meetings. The calibration manager might be an employee’s direct supervisor, but for some employees, direct managers were not in the meetings. When Microsoft switched from Calibration Meetings to People Discussions, this practice of lack of standardization as to whether direct supervisors were or weren’t included remained (see MSFT_Moussouris 00878980). As direct supervisors typically have the most direct knowledge of employee performance, their absence from a discussion of promotion decisions is surprising. Further, the inconsistency in presence or absence of direct supervisor across promotion candidates in discussions is problematic.
could be established by examining consistency of co-ratings/promotion decisions of employees who could appropriately be evaluated by one or more individuals.

39. Which employees were discussed in comparison: Exhibit 3 of the Ritchie Deposition shows that HR determines who is in a calibration group (i.e., the group of employees whose compensation level, promotion decisions, and performance evaluations were discussed together); a similar process of grouping employees for discussion occurred during the period of using People Discussions.\textsuperscript{31} The process by which groups were determined should be standardized, so that an employee might not be disadvantaged by being placed in a more or less relevant calibration or discussion group. Methods that rely on ranking have been described by assessment experts as “weak”\textsuperscript{32} because they are relative; the poorest member of a good work unit may be above average in another, and the method hides these differences across groups.

IX. Microsoft’s compensation and promotion process was insufficiently monitored in order to ensure reliable and valid decisions were made. [Conclusion iv above]

40. Malos notes that organizations “should establish a system to detect potentially discriminatory effects or abuses of the system overall.”\textsuperscript{33} The only reference in the performance evaluation guidance provided by Microsoft with regard to monitoring for gender or other bias, is directed only to the Calibration Manager and only at the point of the Post-Calibration meeting.\textsuperscript{34} At this point, the Calibration Manager is urged to consider if they applied the same standards across gender groups. The direct manager who makes initial ratings and promotion recommendations is not explicitly asked to consider this. Further, the Calibration Manager is urged to consider this post meeting, when calibration of ratings and compensation level and promotion recommendation discussion are complete, rather than during the process.

41. The DeLanoy Deposition notes\textsuperscript{35} that HR receives training regarding “gender neutral compensation guidelines,” but there is no indication that such training is provided to all others involved in these decisions. The HR training on Infusing D&I\textsuperscript{36} does suggest HR “confirm a broad range of employees are considered for all rating decisions including promos.”\textsuperscript{37} However, similar guidance does not appear to be provided to those doing the ratings.

42. Pages 50 to 57 of the DeLanoy Deposition describe the monitoring of compensation with regard to inclusion to be “conducted on an ad hoc basis by HR managers as they sit in on those compensation decisions...they sit in on these annual rewards decisions to assure that those decisions are taken consistently with those non-discriminatory guidelines.”\textsuperscript{38}

\textsuperscript{31} Ritchie Dep. at 228-229.
\textsuperscript{32} Guion, R.M., \textit{Assessment, measurement, and prediction for personnel decisions} at 452.
\textsuperscript{33} Malos, S. B., Current legal issues in performance appraisal at 83.
\textsuperscript{34} Ritchie Dep. Ex. 3 at 21.
\textsuperscript{35} Deposition of Melinda Delanoy, dated September 20, 2017, ("Delanoy Dep.") at 80-81.
\textsuperscript{36} MSFT_MOUSSOURIS_00002427.
\textsuperscript{37} Id. at slide 10.
\textsuperscript{38} DeLanoy Dep. at 52.
Further, Melinda DeLanoy stated “the promotion deliberation process is run by HR. And in running or managing or supporting that process with management, I believe that HR does have influence in how those decisions are made and what decisions are reached.” However, the DeLanoy Deposition notes that no reports are generated with regard to this monitoring so it is unclear as to quality of the monitoring or even as to whether it was consistently done.

43. One way to ensure a process is reliably and correctly implemented is through training. Microsoft does make available some forms of training for managers regarding performance evaluation, promotion and compensation decision-making. However, the training does not provide instruction on how to weight criteria in relation to the job requirements. Further, the training (and guidance) does not instruct managers on how to justify promotion and compensation decisions with direct reference to those criteria in a systematic fashion. Further, while some training did contain practice in applying the competency definitions and rating of a constant stimulus, this was with regard to performance evaluations and not to using the promotion decision tools. Having practice with information and the method used in determining compensation level and promotion would be necessary to show that those making such decisions were able to do so in a reliable and valid manner. Further, the practice should be such that individuals are given feedback as to how their decisions are or are not calibrated with an evaluation of the “stimulus” employee on job requirements so as to ensure that raters can and do use the promotion tool reliably.

By: [Signature]
Ann Marie Ryan, Ph. D.
October 26, 2017

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39 DeLanoy Dep. at 55.
40 DeLanoy Dep. at 55 and 165.
41 MSFT_MOUSSOURIS_00741511.
Appendix A – Vita
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ACADEMIC EMPLOYMENT
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associate professor, full professor; 8/96-present.
Acting Assistant Dean in the Graduate School, responsible for direction of University Fellowships program, 7/11-12/12.
Courses taught: Undergraduate - Intro to I/O Psychology, Personnel Research Methods, Fairness in the Workplace; Graduate - Applied Research Methods, Selection, Non-cognitive Predictors, Organizational Justice, Diversity in Organizations, Applied Professional Skills.

BOWLING GREEN STATE UNIVERSITY
8/87 to 1/93, assistant professor; 4/93 to 7/96, associate professor, Psychology Department;
1988 to 6/95, affiliate professor, Management Department, Masters of Organizational Development program.
7/92 to 4/96, Director of Institute for Psychological Research and Application (IPRA); duties include facilitation of applied research and outreach to organizations and practitioners; initiate contact with organizations; write proposals; develop academia-industry partnerships; supervise project staff; oversee budget. Project supervision included test development and translation equivalence projects for Procter and Gamble; selection system and performance appraisal design for Brush-Wellman; diversity and employee recognition survey data analyses for Ford Motor Company; internal customer satisfaction surveys for MAISI; job analyses for the City of Toledo; TQM survey for Alpha-Beta Tube company; evaluation of TQM and training for BGSU libraries; assessment of Work Keys as a prescreening tool for Procter & Gamble; selection benchmarking competency model development and selection system design for AP Parts International.

EDUCATION
University of Illinois at Chicago, MA and PhD, 1983-1987
Xavier University, BS in Psychology and Management, 1983
PROFESSIONAL AFFILIATIONS & ACTIVITIES

American Psychological Society (Fellow)

American Psychological Association (Fellow Division 5 and 14)
  Committee on Psychological Testing and Assessment, 2014-2017

Society for Industrial and Organizational Psychology (Fellow)
  President, 2002-2003
  President elect, 2001-2002
  Past President, 2003-2004
  Member-at-large, 1998-2001
  Financial Planning Committee, 2003-04
  Task Force on Licensure Issues, 2001-2002
  Advisory Committee for Principles revision, 2001
  APA Program Committee Chair, 1993-94
  SIOP Program Committee, Chair, 1994-95
  Scientific Affairs Committee Chair, 1997-98
  Conference Registration Committee member, 1989-90
  Awards Committee member, 1990, 1991
    McCormick Award Subcommittee Chair, 1991
    Distinguished Scientific Award Committee, 2007
  Fellowship Committee, 2008-09; 2009-10; 2010-11
  SIOP Financial Planning Committee, 2003-04
  SIOP Task Force on I/O Graduate Programs, 04-05
  SIOP Administrative Office Director Selection Committee, 2004; 2016
  Attended Inaugural APA Science Leadership Conference, Dec 05.
  SIOP Science for SHRM Task Force member, 2008-2010.
  2009 Leading Edge Consortium, science program co-chair
  Principles Revision Committee, member, 2015-2016.
  SIOP Small Grants Reviewer, 2012-13
  SIOP Government Relations Initiative on Law Enforcement, 2015-present
SIOP Executive Director Search Committee, 2016.

Academy of Management

Scholarly Achievement Award Committee, 1996
Dissertation Award Committee, Chair, 1998-99
HR Doctoral Consortium co-coordinator, 1999-2000
Program Reviewer, Careers Division, 1996; 1997
Program Reviewer, HR Division, 1996; 1997; 1998; 2000
Program Reviewer, Gender and Diversity division, 2000
Mahoney Mentoring Award Committee, 2013-4

International Association Applied Psychology, 2006-2011

Michigan Association of Industrial Organizational Psychologists

Personnel and Human Resources Research Group, 1998-2011

ASPPB Examination Committee member, 1995-1998

Joint Committee on Standards for Educational Evaluation, task force member for revision of the Personnel Evaluation Standards, 2003-04

National Academy of Sciences Committee on FAA Aviation Safety Inspector Staffing Standards, 2004-6

National Academy of Sciences Committee on O*Net, 2008-2009.


National Academy of Science, Engineering, and Medicine, Board on Human System Integration (BOSHI), Workforce Planning Models for Forensic Science, workshop planning committee member 2016.


Department of State, member of the Board of Examiners for the Foreign Service, 12/2012- 2018

National Assessment Governing Board (NAGB), Advisory panel member for NAEP 12th Grade Preparedness, 8/13- 8/14.


Senior Consortium Research Fellow, Army Research Institute, 6/08 -10/08; 2015-2016

Army Research Institute, Panel on Soldier Classification, 2015.

Army Research Institute, Review of Basic Research Program of Foundational Sciences Research Unit (FSRU), 2015-2016.

ACT, Technical Advisory Board member, 8/15 to present
AON Technical Advisory Board member, 8/15 to present
Associate Editor, American Psychologist, 5/12 to 12/15
Editorial Board, American Psychologist, 1/16 to present
Editorial Board, Personnel Psychology, 1996-2002; 2008 - present
Editor, Personnel Psychology 12/02 to 7/07
Editorial Board, Human Performance, 2001-2002
Editorial Board, Industrial and Organizational Psychology: Perspectives on Science and Practice, 12/07 – present.
Editorial Board, Annual Review of Organizational Psychology and Organizational Behavior, 2012-2017
Editorial Board, Personnel Assessment and Decisions, 2014-2018
Editorial Board, Journal of Personnel Psychology, 2016-present
Senior Advisory Board Member, Journal of Business and Psychology, 2008-2011.
National Science Foundation, Social Psychology Program, proposal reviewer, 5/03, 5/11, 10/11.
FWO, Research Foundation Flanders, reviewer 2015, 2016.
Ministry of Science, Technology and Space of Israel, reviewer 2016.
Southern Management Association, OB Track Outstanding Paper Committee, 2009
Society Human Resource Management Foundation,
Board of Directors, 2014-2016
   Research Advisory Council 2014
   Governance Committee, 2015, 2016
   Research Evidence Committee/Thought Leadership Committee, 2016, 2017
   Advisor of the Year Award committee, 2015, 2016
   HRImpact awards committee chair, 2014-2015
Michigan Commission on Law Enforcement Standards (MCOLES), Recruiting Committee in response to Governor’s directive, 12/2016-5/2017
MSU, Diversity Research Network, Advisory Board Member, 2016-present.

GRANTS

SIOP Foundation, Checking Criminal Records: its consequences for applicants and employers, $2550.


Google, Recognition of research excellence, 2011, $100,000.

SIOP Foundation, Cross-cultural comparison of testing practices, $6700 (4/11-7/12).

Internal Evaluator for Preparing Future Faculty Assessment of Student Learning grant (1/13 to present)
Internal Evaluator for Center for Academic and Future Faculty Excellence (CAFFE), $1,000,000 awarded by NSF (9/09-8/13).


College of Social Science Faculty Initiatives Fund, Stigma disclosure, $6000, (4/08-8/08).

SIOP Foundation, Hiring discrimination against Arabs: Interaction with applicant job and recruiter characteristics, $1730 (5/07-5/08).

Family Research Initiative, MSU, Emotional demands and work-family conflict, $7500 (2/07-8/07).

Families and Communities Together Grant, MSU, Working parent expectations of schools, $39,856 (4/07-4/08).

American Psychological Foundation Wayne F. Placek Investigator Development Award, Workplace Sexual Orientation Harassment: Prevalence, Outcomes, and Implications, $4000 (Oct 04- Dec 05)


Professional Examination Service, Reactions to Licensure Examinations, $3000.

State of Ohio Eminent Scholar Program, coauthor of grant. $500,000 awarded for endowed chair.

BGSU Faculty Research Committee, Basic Grant, Workplace honesty: An interactional perspective, $3,000 awarded.

BGSU Faculty Speed Grant, $750 awarded.

BGSU Faculty Research Committee, Major Grant, $10,000 awarded.

AWARDS


Best Paper Award, Academy of Management Conference, Management Education and Development Division, 1998.


Top Rated Poster Award, Society for Industrial and Organizational Psychology Conference, 2008.

University Distinguished Faculty Award, 2011.


Sage Award for Outstanding Scholarly Contributions to Study of Diversity, Academy of Management, GDO Division, 2013.

SIOP Distinguished Teaching Contributions Award, 2014

Best Paper Award, Journal of Organizational Behavior, 2015

EDUCATION

University of Illinois, Chicago, PhD, Organizational Psychology 1987

University of Illinois, Chicago, MA, Organizational Psychology 1986

Xavier University, BS in Psychology and Management, 1983

RESEARCH INTERESTS

Fairness in employee selection; diversity in organizations; applicant perceptions of fairness; job search and identity management; faking and coaching; personality assessment; work-family conflict; employee attitude surveying.
REFEREED PUBLICATIONS


*Best Paper Award for 2015, Journal of Organizational Behavior


**BOOK CHAPTERS**


BOOKS EDITED


BOOKS AUTHORED


UNDER REVIEW


Chatterjee, D. & Ryan, AM (under review). Identity Management as a Goal-Oriented Response to Stigma Communication at Work: A Self-regulation Perspective

Manuscripts in preparation


King, DD, Ryan, AM, & Wessel JE Race and gender effects on identity management outcomes: Considering intersectionality in interviews.

Ryan, AM, Beals, E, Bhatia, S., Boyce, A & Martin, N. Who would want to fake what: Considering culture in assessing social desirability

Ryan, AM & King, DD, Elizondo, F. & Wadlington, P. Managing identity as a women in a STEM field.

Ryan, AM, Ali, A, Keeney, J. Job relevance and judgments of criminal records in employment contexts.

Ali, AA, Ryan, AM, Lowe, A, Chang, H Identity management in the workplace for diabetics


Chatterjee, D. & Ryan, AM Identity Management as a Goal-Oriented Response to Stigma

Communication at Work: A Self-regulation Perspective

Lauricella, T., Ryan, AM, Elonziondo, F. & Wadlington, P. Impact of work context and personality on boundary management styles.


SELECT NON-REFERRED PROFESSIONAL PUBLICATIONS


Ryan, A. M., Keeney, J., Sinha, R., & Poposki, E. (2009). Striking the balance between meeting employee needs and running the business. IGM


PRESENTATIONS (since 2000)

Ryan, A. M. (2000, February). What applicants see as fair: Limits on applying social justice theory to selection contexts. Invited colloquium. Indiana University-Purdue University.


New perspectives on an old issue.” Presented at the annual conference of the Society for Industrial and Organizational Psychology, Toronto, Canada.


Ryan, A. M., Campbell, W., Ashe, R. L., & Rafuse, N. E. (2002, August). Introduction to cognitive ability and personality testing for employment decision making. Workshop at APA Convention, Chicago, IL.


Ryan, A. M. (2009, February). *Sensitivity reviews in item development*. Personnel and Human Resources Research Group meeting, College Station, TX.


benefit the candidate? Presented at the annual meetings of the Society for Personality and Social Psychology, Las Vegas, NV.


Lyons, B.J. & Ryan, A. M. (2010). The role of racial contextual cues in observer intervention in workplace bullying over time. Symposium at APA Division 45 Conference, Ann Arbor, MI.


Derous, E & Ryan, A. M. (2011, June). Screening-out the Arab applicant: evidence from two field studies in the Netherlands. EAWOP Small Group meeting on Selection and Assessment, Athens, Greece.


Derous, E & Ryan, A. M. (2011, June). Screening-out the Arab applicant: evidence from two field studies in the Netherlands. EAWOP Small Group meeting on Selection and Assessment, Athens, Greece.


Keeggin, M. & Ryan, A. M. (2012, May). *Gender as a Manageable Social Identity: Perspectives From Female Faculty* Association for Psychological Science Conference, Chicago, IL.


Cotton, A. & Ryan, AM (2012, Nov) *Why were you fired? The role of race and gender in evaluations of excuses and justifications*. Annual Biomedical Research Conference for Minority Students (ABRCMS). San Jose, CA.


Cotton, AS, Ryan AM & Lyons BJ (2013 April). Why were you fired? Gender, race and evaluations of explanations. SIOP Conference, Houston.


Ryan, AM (invited colloquium, 2014). Complexity in use of social category information in employment decisions. Bowling Green State University, April 18.


Ryan, AM (2015). (invited colloquium) Fairness in Hiring: Research Overview. Kennesaw State University, GA


Ryan, AM (April 2015). Distinguished Teaching Contributions Award Invited Address: Staying engaged and effective in teaching and mentoring throughout one’s career. Society for Industrial and Organizational Psychology Conference, Philadelphia, PA.


Ryan, AM (2015, June 16) *Balancing self-presentation across contexts* MSU Women’s Advisory Committee for Support Staff (WACSS), invited speaker.

Ryan, AM (2015, July 8). *Should women “man up” to succeed in the workplace: managing your identity*. Presentation to Doctor of Nursing Practice Program.


Ryan. AM (2015, October). *Considering fit bandwidth*. Presentation at Classificaien Panel Meeting, Army Research Institute, Fort Belvoir, VA.

King, DD, Ryan, AM & Wessel, J (2016, March). *Intersectionality on the path to leadership: how race and gender simultaneously influence identity management outcomes*. Leadership Excellence and Gender in Organizations Symposium, Purdue University, West Lafayette, IN.


Ryan, AM & King, DD. (2016, April) *Connecting demographic differences and diversity in interests to organizational diversity.* Society for Industrial and Organizational Psychology Annual Conference, Anaheim, CA.


Ryan, AM (2016, April 1). *Identity Management in Hiring Contexts: Dealing with Stigmatization.* Invited colloquium University of Nice, France.


Derous, E., Pepermans, R. & Ryan, AM (2016, June) *Ethnic discrimination in resume screening: mind the job.* ENESER/EAWOP small group meeting on Recruitment and Selection, Amsterdam, the Netherlands.


50


CONSULTATIVE EXPERIENCE

ATTORNEY GENERAL OF RHODE ISLAND, expert review work, 9/2016-10/2016

ETS, 10/13 to 5/15, technical advisory panel for personality test validation efforts.

DOW CORNING, 6/13 to 8/13, validation of skilled trades tests.

HuMRRO. Advisory panel member for expert review of adaptive personality testing validation project for Army.


AMAZON, 10/12 – 4/14, supervise development and validation of culture fit assessment tool for hiring associates.


GOOGLE, 5/09, 5/10, 5/11, 5/12, 10/14, 10/15. Invited participant in PiLab Research Summit and re:Work conference

NATIONAL CYCLOTRON LAB, 11/07- 4/08. Supervised design, administration, and analysis of employee diversity climate survey.

KALMAZOO COUNTY SHERIFF, 5/07-7/07. Designed and administered a testing process and assessment center for senior administrative position.


3/11 to 11/11, supervise design and validation of screening tools for underwriter hiring.
12/15 to present, job analysis and competency evaluation for underwriters and brokers.

WONDERLIC, 9/06 to 11/07. Development of mechanical aptitude test item pool.

BLACKWELL PUBLISHING, 1/07- present, member of Senior Advisory Board for Industrial and Organizational Psychology Practice Series. Provide input on topics, review book proposals, and provide feedback on some book drafts.

HUMAN CAPITAL INSTITUTE, 11/05-11/07. Expert advisory panel member, participating in webinars on best practices in surveying.

PROCTER & GAMBLE

11/04-10/05. Coordinated large-scale global data collection examining test taker perceptions of new selection tools; examination of response distortion cross-culturally.

8/09-10/09. Supervised data collection and analysis for item calibration project for development of next generation of plant technician assessment tools. Worked to recruit unemployed workers in local area to participate.

MI WORKS, 3/05-8/05. Supervised design of employer phone survey and job seeker survey, oversaw data collection, analysis and report writing.

KELLY SERVICES:


7/05-5/06 – consultation for job analysis of adjunct faculty jobs.

6/08-8/08. Development of decision aid tools for determining appropriate use of tests.


CRIMINAL JUSTICE MANAGEMENT INSTITUTE, 4/03 – 9/06. Review promotional examination content for various police agencies. Write test items. Conduct item writing workshops for SMEs.

HONEYWELL, 12/03-1/04. Supervise student analysis of diversity survey data.

PHARMACIA, 4/01 –10/01.

Job analysis of production workers.

DOW CHEMICAL, 6/00 to 10/00.

Development of behaviorally anchored scales for structured interview processes and simulation for Commercial Sales; training of recruiters, on-site interviewers, and assessors; review of alternative personality measures for selection process.

MICROSOFT, 4/00- 6/00. Investigation of cross-cultural equivalence of corporate employee attitude survey.

CITY OF ANN ARBOR
12/99 to 2/00. Development of an entry-level firefighter selection process.

FORD MOTOR COMPANY:


JACKSON NATIONAL LIFE:

11/02 – 7/04. Supervision of a team developing assessment tools for training use.
8/98-6/99. Supervision of a team developing assessment tools for training use and promotion decisions.


MOTT CHILDREN’S HEALTH CENTER, 5/98. Conducted workshop on integrating goals and evaluation measures.

MCDONALDS, 10/97. Invited presentation on survey best practices.

NCS, 10/97. Review of report of audit of presubscription balloting in telecommunications in Mexico.

AUTO ALLIANCE, 3/97. Designed and conducted survey feedback and action planning training for managers. Facilitated action planning process for organizational survey response team.

QUESTAR/FORD MOTOR COMPANY, 12/96-1/97. Coordinated a quality review of a survey data analysis process; coordinated data verification process.

CITY OF TOLEDO:

1/01 to 5/02. Development of a performance evaluation system for command officers in the police department. Developed and conducted training of all users.
11/95 to 6/05; court-appointed expert for police officer examination process.
12/99 to 2/01. Development of a performance evaluation system for civilian employees in the police department.

1996: Criterion-related validation study of HPI with police officers.

5/95-9/95; consultation for firefighter examination process. Review and recommend test materials, conduct analyses, prepare reports.

6/95; design of test-taking orientation program for firefighter applicants.
10/93; review of scoring process for police sergeant, lieutenant and captain examinations.

1/93 to 6/93; court appointed expert witness for police officer written examination. Review test materials, process, and validity evidence, and recommend action when appropriate.

CITY OF COLUMBUS

8/99-4/00. Study of why individuals choose not to apply for firefighter positions.

2/96 to 5/96; conducted study of credentialling education in promotion of police officers.

9/94; outside expert in settlement study on adverse impact and police sergeant promotions.

MIDWEST STAMPING; 11/95-4/96; design and implementation of a communications survey-feedback process.

AP PARTS INTERNATIONAL; 9/95-3/96; supervised graduate student work on selection system benchmarking, competency model development, and selection system design.

FORD MOTOR CREDIT CORPORATION; 5/93-9/94; conducted longitudinal study of relation between employee attitudes and branch performance, including profitability and customer satisfaction.

SUPPLEMENTAL STAFFING; 5/93-7/94; review of selection process; validation study; adverse impact analysis.

GENERAL MILLS

8/95-10/95; 10/98; training of a conflict resolution team; conflict resolution training for first line supervisors.

5/95-6/95; task analyses of loading dock and warehousing positions. Initial development of feedback system for coordinator positions.

3/95; administration of test battery for validation purposes.

9/94-11/94; training system redesign, for plant technician positions.

5/94; test development workshop for mechanic and electrician testing.

1/94-3/94; organizational diagnosis through an interview and feedback process.

5/93-12/93; training certification design for technicians in new plant; involves task analyses for all equipment/skills to determine training content and certification requirements; review of all testing and certification materials.

6/92-11/92; selection system design for systems improvement engineers; supervision of job analysis; development of structured interview process; selection system recommendations.

4/92-6/92; interviewer for selection of team members for new plant.

2/92-3/92; development and delivery of an assessment center preparation program for team leader candidates. Included design of training materials, conducting training sessions, and supervision of other trainers.
1/92-10/92; overseeing training competency assessment for maintenance positions; duties include reviewing all test materials developed, advising on assessment processes, supervising test administrations, and developing and administering feedback process.

TRINOVA, 4/92 to 4/93; supervision of design, administration, and evaluation of portions of an assessment program for high potentials. Includes design of simulations, rating forms, assessor training, and administrative materials, as well as tools for developmental planning.

NATIONAL LOUIS UNIVERSITY, 4/92 to 8/92; design of assessment course; supervised development of simulations, assessor training materials, and rating forms, as well as administrator guide.

TRIANGLE PLASTICS, 2/92 - 5/92; supervision of selection system design for equipment operators, including job analysis and instrument design.

XEROX CORPORATION

1/92; conducted group sessions for development and validation of a work group effectiveness measure to be used in team development.

9/90 to 12/90; job analyses and selection system recommendation for inventory clerks and parts handlers, including project design, data collection and analysis, report writing.

10/89 - 12/89; job analysis of telemarketing representatives; including project design, data collection, data analysis, report writing, selection system recommendations and supervision of others.

EMERGENCY MEDICAL DELIVERIES; 6/91 to 10/91; supervised company-wide job analyses, performance appraisal system recommendations, and development of employee handbook for truck drivers.

NEW YORK CITY BOARD OF EDUCATION, OFFICE OF PERSONNEL ASSESSMENT; 3/90 & 10/90; participated in test development sessions to design format for interview examinations.

MARATHON SPECIAL PRODUCTS, 4/90-8/90; project leader in design of two separate selection systems, including job analyses, work sample and interview development, and supervision of others.

CITY OF BOWLING GREEN, 11/89-12/89; designed and administered an assessment center for fire chief selection.

ILLINOIS INSTITUTE FOR THE DEVELOPMENTALLY DISABLED, project member, 4/86-7/86; involved in a job analysis of first level supervisors for training needs assessment. Duties included designing interview format, conducting interviews, questionnaire development, and preliminary report writing.

STEPHEN A. LASER ASSOCIATES, 6/85-9/85; responsible for development and administration of an assessment center. Duties included designing exercises, developing an assessor training program, conducting assessor training, administering the center, designing feedback and developmental planning format; involved in the development of marketing materials.

INLAND STEEL, 6/84-9/84; conducted an employee attitude survey. Duties included developing and administering survey, analyzing results, and writing all related reports. Involved in the development of training and performance appraisal materials.
BRECKER & MERRYMAN, 5/83-8/83, 5/82-8/82; developed a supervisor's guide for performance appraisal, generic job descriptions for a bank, and a job analysis questionnaire for an electronics firm.

DUBOIS CHEMICAL, practicum in personnel, 9/82-12/82; created a career development program. Duties included researching career development, developing a job matrix, writing generic job descriptions, and developing and writing an action planning guide for employee usage.

DR. GERALD QUATMAN, statistical laboratory assistant, 9/81-5/82; developed a civil service exam for Cincinnati police department by conducting relevant research, constructing questions, and analyzing final tests results.

Dissertations Supervised
Bowling Green:
Karen Barbera
Diane Daum
Laura Mattimore
Stephane Brutus
William Shepherd
Chet Robie
Mark Schmit
Luis Parra
Michele Grisez
Michigan State:
Robert Ployhart
Lynn McFarland
Darin Weichmann
Michael Horvath
Hannah Nguyen
Alyssa Westring
Sonia Ghumann
Anthony Boyce
Elizabeth (Poposki) Boyd
Jason Huang
Jennifer Wessel

56
James Grand
Jessica Keeney
Brent Lyons
Megan Huth
Catherine Ott-Holland
Appendix B – Materials Considered

1. Deposition of Joseph Whittinghill, dated May 10, 2016, and associated Exhibits 1-30
2. Deposition of John Adrian Ritchie, dated June 29 and June 30, 2016, and associated Exhibits 1-48
5. Plaintiffs’ Motion to Compel Production of Documents Withheld for Privilege/Work Product (Dkt. 47)
6. Codwell v. Microsoft settlement correspondence (MSFT_MOUSSOURIS 00859393, 00859406, 00859774, 00859842)
8. Various documents related to the performance evaluation, compensation setting and promotion processes of Microsoft as well as to the development and support of the competency model and career stage profiles, including:
   1) MSFT_MOUSSOURIS_00002409
   2) MSFT_MOUSSOURIS_00058641
   3) MSFT_MOUSSOURIS_00009964
   4) MSFT_MOUSSOURIS_00202270
   5) MSFT_MOUSSOURIS_00208869
   6) MSFT_MOUSSOURIS_00209166
   7) MSFT_MOUSSOURIS_00211159
   8) MSFT_MOUSSOURIS_00222726
   9) MSFT_MOUSSOURIS_00041064
  10) MSFT_MOUSSOURIS_00064250
  11) MSFT_MOUSSOURIS_00688508
60) MSFT_MOUSSOURIS_00002306
61) MSFT_MOUSSOURIS_00002308
62) MSFT_MOUSSOURIS_00002311
63) MSFT_MOUSSOURIS_00002313
64) MSFT_MOUSSOURIS_00002315
65) MSFT_MOUSSOURIS_00002316
66) MSFT_MOUSSOURIS_00002325
67) MSFT_MOUSSOURIS_00002330
68) MSFT_MOUSSOURIS_00002332
69) MSFT_MOUSSOURIS_00002335
70) MSFT_MOUSSOURIS_00002344
71) MSFT_MOUSSOURIS_00002347
72) MSFT_MOUSSOURIS_00002348
73) MSFT_MOUSSOURIS_00002349
74) MSFT_MOUSSOURIS_00002352
75) MSFT_MOUSSOURIS_00002357
76) MSFT_MOUSSOURIS_00002360
77) MSFT_MOUSSOURIS_00002362
78) MSFT_MOUSSOURIS_00002364
79) MSFT_MOUSSOURIS_00002366
80) MSFT_MOUSSOURIS_00002367
81) MSFT_MOUSSOURIS_00002368
82) MSFT_MOUSSOURIS_00002369
83) MSFT_MOUSSOURIS_00002377

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84) MSFT_MOUSSOURIS_00002386
85) MSFT_MOUSSOURIS_00002388
86) MSFT_MOUSSOURIS_00002409
87) MSFT_MOUSSOURIS_00002427
88) MSFT_MOUSSOURIS_00004097
89) MSFT_MOUSSOURIS_00004206
90) MSFT_MOUSSOURIS_00004206
91) MSFT_MOUSSOURIS_00004365
92) MSFT_MOUSSOURIS_0005639
93) MSFT_MOUSSOURIS_00018513
94) MSFT_MOUSSOURIS_00018515
95) MSFT_MOUSSOURIS_00041059
96) MSFT_MOUSSOURIS_00041064
97) MSFT_MOUSSOURIS_00058624
98) MSFT_MOUSSOURIS_00058627
99) MSFT_MOUSSOURIS_00058629
100) MSFT_MOUSSOURIS_00058631
101) MSFT_MOUSSOURIS_00058633
102) MSFT_MOUSSOURIS_00058641
103) MSFT_MOUSSOURIS_00058705
104) MSFT_MOUSSOURIS_00058715
105) MSFT_MOUSSOURIS_00058734
106) MSFT_MOUSSOURIS_00058737
107) MSFT_MOUSSOURIS_00058782
108) MSFT_MOUSSOURIS_00058783
109) MSFT_MOUSSOURIS_00058788
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123) MSFT_MOUSSOURIS_00001957
124) MSFT_MOUSSOURIS_00001958
125) MSFT_MOUSSOURIS_00001960
126) MSFT_MOUSSOURIS_00001961
127) MSFT_MOUSSOURIS_00001962
128) MSFT_MOUSSOURIS_00001964
129) MSFT_MOUSSOURIS_00001966
130) MSFT_MOUSSOURIS_00001968
131) MSFT_MOUSSOURIS_00001970
Appendix C

Reference and guidance materials consulted


