

Jeffrey Landes, Susan Gross Sholinsky Quoted in Article, "Beware Compliance Pitfalls When Recruiting on Social Media Sites"

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Jeffrey Landes and **Susan Gross Sholinsky**, Members of the Firm in the Labor and Employment practice, in the New York office, were quoted in an article titled "Beware Compliance Pitfalls When Recruiting on Social Media Sites."

Following is an excerpt:

More companies are using social media networks to look for good job candidates, since the method is easy and cost effective, and it gives employers access to a high number of potential candidates and more insight into their personalities without actually having to meet them all. But the recruitment tools do come with some compliance dangers to consider.

Sholinsky says the latest trend to recruit workers through this channel is clearly on the Equal Employment Opportunity Commission's radar. She says a trial attorney at the EEOC, Edward Loughlin, has been offering employer training programs on issues surrounding employers' use of social media.

"Employers should be careful not to make decisions based on information obtained via social media when they know it is unlawful to ask the question that would elicit the information during an interview," Sholinsky says.

"This practice may have a disparate impact on certain minorities, who are statistically under-represented on professional social media sites," says Sholinsky.

People



Jeffrey (Jeff) M. Landes
Member of the Firm
Employment Compliance
Counseling
New York
212-351-4601
jlandes@ebglaw.com

"The problem is that you have no control on the information you may find. You may find out information that the job applicant is a member of certain religious group or is participating in certain sexual orientation rights group," says Landes.

Have corporate policy in place when it comes to the subject, says Landes. "Many companies do not have a policy in place when using search engines or social media to check on applicants."



Susan Gross Sholinsky
Board of Directors / Member of
the Firm
Employment Compliance
Counseling
New York
212-351-4789
sgross@ebglaw.com