Social Networks and Employment Law

Are you Putting your Organization at Risk?

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Thank you
Introduction

As the popularity of social networking has soared, there has been a significant increase by both companies and candidates in the use of these tools throughout the hiring process. Candidates look to social networking tools like Facebook® and LinkedIn® to learn about an organization and its culture. Recruiters and hiring managers use these tools to learn more about candidates and as an additional means to help find potential job seekers as job postings get passed virally throughout these networks.

Do you let information learned from a candidate’s Facebook profile impact your hiring decision?

As soon as employers start using social networks to make decisions about potential job seekers and potential hires, a whole host of employment-related legal issues can arise.

To make sure everyone is on the same page, we’ll start with an overview of social networking.
Social Networking Basics

Some of the most popular social networks include Facebook, LinkedIn, and Twitter.

LinkedIn targets professionals and allows members to create a profile that describes their professional background and facilitates connection and communication with other professionals.

Facebook targets students and adults allowing members to create a profile that primarily focuses on more personal matters such as family and hobbies. Members use Facebook to talk with friends and share personal information about their lives.

Twitter is a more recent addition to the social networking phenomenon. Twitter asks users “What are you doing?”, and users answer with a brief message. Twitter members can post links to articles, pictures, videos or other information about themselves or topics of interest.
Everybody’s doin’ it!

The numbers of social networking users makes these sites extremely attractive to recruiters as possible sources of hire and to hiring managers who want to learn more about potential hires.

These sites are no longer just limited to Gen-Yers. It is likely that you and many of your friends and colleagues belong to at least one, if not more, of these services. Here are some pretty impressive statistics.

- **200+ million** active users
- **100+ million** users log on daily
- **Over 66%** of users are outside of college age
- **35 years and older** is the largest growing demographic
- **480,000** new members join daily

**LinkedIn**

- **39 million** users

**Twitter**

- Estimated between **5 and 10 million** users
How do employers use social networks? Survey says...

We realize that the use of these sites throughout the hiring process is quite tempting. Let’s explore some survey results that dig into just how employers are using these tools.

CareerBuilder.com conducted a survey of 3,169 hiring managers and found that 22 percent screened job seekers using social networking sites. 34 percent of them have used what they learned on these sites to reject a candidate and 24 percent have used the information to confirm their decision to hire a candidate.

Here are some samples of the information recruiters and hiring managers found that could impact their hiring decision.

- Drinking and/or drug photos
- Poor communication skills
- Provocative photos
- Lying about qualifications
- Professionalism
- Good communication skills
- Confirmed qualifications

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2008 CareerBuilder.com Survey

- 3,169 hiring managers
- 22% screen job seekers using social networking sites
  - 34% used this information to decide NOT to hire someone
  - 24% used this information to confirm their decision to hire
Using Social Networks for Branding and Marketing

For simplicity, we will focus the rest of this eBook on Facebook and LinkedIn, but the same general questions, concerns and recommendations apply to Twitter and other online networking services.

Employers use social networking sites for a number of reasons related to attracting high-quality candidates for current and future openings. Many organizations have created profiles on Facebook and LinkedIn as a branding and marketing tool. A company’s presence on these sites can increase public awareness and serve as a forum to introduce itself and its products to potential new customers and increase the loyalty of current clients. In addition, company and employee information may attract job seekers, those looking for jobs now and those who may plan to look for a job in the future.
Many companies also use social networking sites for recruiting and hiring. Organizations often post openings on Facebook and LinkedIn and frequently utilize specific tools designed to help employers post jobs, search for candidates and help job seekers find open positions.

If recruiters create their own profiles, job seekers may become a friend, or connection, allowing recruiters to in turn search their profiles. In addition, if given permission, recruiters can search and view the profiles of anyone who becomes a fan of the company page.

Recruiters can conduct detailed searches of their friends or they can perform a general search of Facebook members which will return people and groups associated with the search terms. Recruiters can then join these groups or ask individuals to be added as a friend for further access to their profile information. Recruiters can also invite people to a Facebook event (for example, a career fair) or suggest they become a fan of the company page to learn more about their organization.
Using Social Networks for Recruiting and Hiring

Facebook is testing a job posting and candidate search application called InSide Job.

InSide Job allows members to search for and contact other users based on where they interviewed, worked or are currently working. Users can search for jobs and get the inside scoop on a prospective employer before their interview.

The application helps recruiters post jobs and find the right people to hire. Searches can be conducted based on Job Title, Company Name or Location.
Using Social Networks for Recruiting and Hiring

LinkedIn has specific tools for recruiting. Recruiters can search for candidates and job seekers can search for jobs.

Be careful of additional costs for some social networking tools for recruiters

Some LinkedIn services do have an associated cost. It may be just as effective, and a lot cheaper, to put the effort into making your company pages attractive and interesting to help grow your fan base or network. This allows you to passively develop a pool of potential candidates without paying extra for these tools.
How do job seekers use social networks?

Social networks are not just for socializing anymore. Job seekers are realizing the usefulness of these sites to find jobs, keep abreast of career opportunities and research possible employers. Job seekers may post professional information about themselves highlighting their experience, qualifications and job interests—in essence, advertising themselves.

**Advertise Self**
Both active job seekers (currently seeking employment) and passive job seekers (not currently seeking employment) may create profiles that highlight their professional experience and qualifications. Active job seekers, however, are interested in acquiring gainful employment while passive job seekers may wish to simply stay informed of professional opportunities.
How do job seekers use social networks?

Find Jobs
Active job seekers may use these sites to find jobs. They may notify their Facebook friends and their LinkedIn contacts about their job search and ask for assistance. Given the number and scope of members by industry, geography and profession, individuals can notify a vast network of friends and contacts about their job search and increase the chances of hearing about a job opening.

Job seekers may also directly search these sites for job openings. Both Facebook and LinkedIn provide tools that allow members to search for a job in a manner similar to using a job board. Alternatively, company pages may list job openings so job seekers with interest in a specific company can find open positions there. Job seekers often join a Facebook or LinkedIn group that targets individuals who hold jobs similar to the type of job they desire (for example, professional engineers, psychologists, IT specialists and so on). This facilitates connections with people already in the profession and helps with job seeker research.
Job openings are easy for potential candidates to find on these sites. We discussed InSide Job earlier, and you’ll notice that this tool is designed for both employers and job seekers. Employers can also post open positions directly to their company pages on Facebook, for example.
How do job seekers use social networks?

LinkedIn specifically targets job seekers and provides tips for finding jobs as well as a job search function.
How do job seekers use social networks?

Research Jobs and Companies
Members may search these sites for friends or contacts who hold jobs similar to the one they desire, or who work for a company of interest. The job seeker can then directly invite these individuals into their networks and ask for their assistance in a job search. Job seekers may reach out to their network for several reasons during this time.

- Find out what it is like to work at an organization, including feelings about management, corporate viability and location
- Learn about the hiring manager or obtain contact information
- Understand the job responsibilities, level of travel, dynamic of the team and why the position is open

Job seekers trust their network. Responses to the above are more credible from their network than from the company, right or wrong.
Social Networks and Employment Law: Are you Putting your Organization at Risk?

Checkpoint

Now that we have covered social networking sites and how they are used by employers and job seekers, let’s discuss the federal anti-discrimination regulations that must be considered when employers utilize these sites to find and hire talent. The novelty and excitement around Facebook and LinkedIn has, in many cases, overshadowed the fact that the use of these sites for recruiting and hiring carries with it many legal obligations. The first three laws below are enforced by the Equal Employment Opportunity Commission (EEOC) and the last law is enforced by the Office of Federal Contract Compliance Programs (OFCCP).

- **Title VII of the Civil Rights Act** – prohibits discrimination based on race, color, sex, national origin or religion. This federal law covers private employers, state and local governments and educational institutions with at least 15 employees. Protections have been extended to include discrimination on the basis of pregnancy, sex stereotyping and sexual harassment.

- **Americans with Disabilities Act of 1990 (ADA)** – prohibits employment discrimination based on disability. Employers may not inquire about disability prior to an offer of employment and must make reasonable accommodations to persons with disabilities.

- **Age Discrimination in Employment Act of 1967 (ADEA)** – prohibits employment discrimination based on age, particularly protecting individuals 40 and older.

- **Executive Order 11246** – prohibits discrimination based on race, color, sex, national origin or religion. Also requires federal contractors to monitor their personnel practices and take affirmative action where indicated.

Although the specific regulations described above are United States employment laws, anti-discrimination laws are developed and enforced around the world, so they may not be called by the same name in your country, but the same concepts likely apply.
Two Theories of Discrimination - Disparate Treatment

In one of the most influential employment discrimination cases, *Griggs vs. Duke Power* (1971), the Supreme court recognized two legal theories of employment discrimination, **disparate treatment** and **disparate impact**.

Disparate treatment involves intentionally treating members of a protected class differently than others. Asking only females about their family during an employment interview and then rejecting females with children would be an example of disparate treatment. Requiring only minorities to take a skills test as part of the hiring process and rejecting those who fail the test would be another example.

To avoid disparate treatment claims, it is important that everyone go through the exact same hiring process—the same steps and the same criteria for selection.
Two Theories of Discrimination - Disparate Impact

Disparate impact involves the application of a facially-neutral employment practice that adversely affects members of a protected class. For example, height and weight requirements will lead to rejection of a disproportionate number of female applicants.

In Griggs vs. Duke Power, Duke Power required applicants to have a high school diploma and pass a broad aptitude test. Minorities failed these requirements at a significantly higher rate than non-minorities. Since Duke Power could not justify the high school degree and aptitude requirements for certain lower-level jobs, the court found that they had discriminated against minorities.

Keep in mind that job requirements and other employment selection procedures that have a disparate impact are not necessarily discriminatory. The employer may be able to justify the use of the procedure as job-related and consistent with business necessity, and there may be no other alternative selection procedures that are equally valid with less adverse impact.
Applied to Social Networking - Examples of Disparate Treatment

So, how do these two theories of employment discrimination apply to the use of social networking in the hiring process?

If recruiters or hiring managers only check Facebook or LinkedIn for some applicants or evaluate information found on these sites in a different way for different applicants, the employer could be vulnerable to claims of disparate treatment.

It is natural to make judgments based on what you see, don’t let it lead to disparate treatment.

What if you saw a picture of a woman drinking and a man drinking, would you treat that information the same? What if you saw pictures of men and women with children? Or a picture of a female applicant who happened to be pregnant? What about an applicant with a seeing-eye dog or missing limb?
Applied to Social Networking - Examples of Disparate Impact

If you decide to rely heavily on social network information in the employment screening process, are members of one race, gender or age group more likely to have a profile? Is it possible that older applicants or applicants with certain disabilities are less likely to have a Facebook or LinkedIn profile? If you are looking for specific information on the applicant’s profile, are members of a protected class more or less likely to include that information in their profiles?

Examples of Potential Disparate Impact

• Only considering applicants with a profile
• Only considering applicants with certain information on their social networking profiles
• Giving preference to job seekers with the most friends or contacts
Applied to Social Networking - Other Questionable Practices

Let’s explore some additional practices that could pose legal pitfalls to employers who are using or plan to use social networking sites during the hiring process.

- Accessing information related to protected-class status
- Evaluating or verifying qualifications
- Using leisure activities as a basis for decision making
- Asking friends or contacts to provide references

In addition, if your organization is subject to recordkeeping requirements, this information may not be tracked since it is accessed outside of your recruiting system.
Questions to Avoid During the Hiring Process

Anti-discrimination regulations prohibit employers from asking job seekers information that would disclose their protected-class status—that is, religion, age or disability. Keep in mind that federal contractors are obligated to solicit race and gender, but only under voluntary conditions and only in a manner in which the race and gender information is kept separate from the hiring process.

Decision makers should not have access to job seekers’ race and gender information and should not ask questions which would reveal such information.

Questions to avoid include:

- **Title VII** - Are you female? What is your gender? Are you Hispanic? What is your ethnicity? What is your race? What is your national origin? Are you a citizen of this country? Where were you born? What is your religion? Do you attend church?
- **ADEA** - How old are you? When were you born?
- **ADA** - Are you disabled? Are you an addict?

Remember, although we address specific US laws here, many countries have their own versions of these laws, so they are known by a different name, but the concepts remain the same.
Questions to Avoid During the Hiring Process

In addition to the specific laws addressed on the previous page, other inquiries are off limits since they could also divulge one’s protected-class status. The questions may reveal this status directly, or indirectly because the responses tend to be related to race, gender, national origin, religion, age or disability. These topics include marital and family status, certain questions about criminal background, credit history, military discharge, physical attributes, citizenship or organizations and affiliations.

Questions to avoid include:
• Are you married? Do you have children? Do you plan to have children? Are you pregnant or planning to become pregnant?
• Have you ever been charged with a crime?
• Have you ever bounced a check? Have you ever failed to make a payment on a loan?
• Were you honorably discharged from the military?
• How tall are you? How much do you weigh?
• Are you a citizen? Where were you born?
• What is your religion? Can you work on Sunday?
• What organizations do you belong to?
• How old are you? When were you born?
• Are you disabled? Have you ever been addicted to drugs? How many sick days did you take last year?
Questions to Avoid During the Hiring Process - Applied to Social Networking

When you become a member of Facebook or LinkedIn, you create a profile. You may enter very little information or a lot of information about yourself. For example, Facebook provides an information page where you can enter various details of your personal life. If you take a look at the information page from Facebook, the questions look like a direct list of questions that should be avoided during the hiring process. Gender, birthday, family members, relationship status, sexual orientation and religious views are all available profile fields. Users may restrict this and other information on their profiles to selected friends or may leave it accessible to a wide audience.

While LinkedIn does not have a section with corresponding fields, both Facebook and LinkedIn allow users to associate a picture with their profile.
Questions to Avoid During the Hiring Process - Applied to Social Networking

This picture immediately provides a recruiter or hiring manager with a person’s race, gender and some indication of age. While you may need to be added as a friend or contact to see personal or other detailed information, you don’t have to be a friend to see the profile picture. Further, on Facebook, comments posted to one’s wall, the Facebook version of a home page, can easily contain comments that would disclose information about marital status, disabilities, religious views, etc.

In fact, I recently learned that one of my friends who happened to be job hunting was pregnant based on a comment posted to her wall by a friend. If potential employers have been examining her Facebook profile, would they consider that information during the hiring process?
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Pitfalls to using Social Networks to Evaluate Candidates - Evaluation and Verification of Qualifications

The survey we discussed earlier suggests that recruiters and hiring managers apply the information found on social networking sites to make decisions about job seekers. If an employer uses information on these sites to evaluate a job seeker’s qualifications for a position, several concerns arise.

- **Recordkeeping** – the site becomes an employment record which must be saved by all employers subject to Title VII and/or Executive Order 11246. If you are a federal contractor, additional information, such as search logs, must be maintained for up to two years.

- **Reliability** – there are a lot of unanswered questions about the reliability of information found on these sites. The detail included in these profiles varies widely. Some people include very little information about themselves and their professional qualifications on their profile, particularly on Facebook. Others may use these sites as an outlet for advertising their knowledge, skills and abilities. Given the varying type and detail of information on these sites, it would be difficult, if not impossible, to evaluate job seekers consistently.
Finally, can employers use information found on social networking sites in a manner compliant with legal and federal guidelines for employment selection procedures, namely the Uniform Guidelines on Employment Selection Procedures (UGESP, 1975) and the Society of Industrial Organizational Psychologists (SIOP) Principles on the Validation and use of Personnel Selection Procedures?  

Could an employer show that its use of social networks was job-related and consistent with business necessity? Would such use meet the criteria required to show content, criterion-related or construct validity?
Pitfalls to using Social Networks to Evaluate Candidates - Evaluation and Verification of Qualifications

While LinkedIn is geared toward professionals and may contain more detailed, accurate job-related information, the authenticity of the information on LinkedIn and Facebook is also an issue.

Since these sites are not considered employment applications or legally-binding documents requiring accuracy, there is no guarantee or any real degree of certainty that the information on these sites is accurate. If such information is not, will employers make employment decisions based on unreliable and inaccurate information?

If an employer hires someone based on the information on Facebook and later discovers that the information was inaccurate, can it hold the applicant responsible for posting inaccurate information when there is no requirement to do so, and no expectation by the job seeker that the information on their profile might be used for such a purpose?
Pitfalls to using Social Networks to Evaluate Candidates - Background Checks

Another set of regulations that may be violated by the use of social networking sites during the hiring process involves the Fair Credit Reporting Act (FCRA). If an employer uses third-party vendors to conduct background checks and the third-party wants to search social networking sites as part of this check, individuals must be given prior notice.

It is possible that searching social networks for information during a background check could violate the FCRA if job seekers are not informed that you will conduct such a search. However, this requirement only applies to third-party agencies.

If the recruiter or hiring manager, or other internal representative, conducts the background check, the employer is not required to notify the job seeker. However, all of the warnings related to disparate treatment and disparate impact still apply if information found on these sites is used to deny employment to job seekers.
Pitfalls to using Social Networks to Evaluate Candidates - Background Checks

If you see a comment about missing a credit card payment, would you consider that information as part of the background check? What does the comment really say about the person’s job qualifications? Would you evaluate the comment differently for men vs. women, or minorities vs. non-minorities?

Bozeman City, Montana has been in the news recently related to using social networks as part of the background check process. The city started requiring applicants to submit a list of all personal or business-related web spaces where they are members, including personal web pages, Facebook, LinkedIn, MySpace, YouTube, and so on. In addition, applicants must also submit the passwords to these sites for the employer’s use during the hiring process. The city argues that it is obligated to conduct thorough background checks on all applicants, particularly those filling law enforcement or personal safety positions. However, many have raised concerns about these practices.
Pitfalls to using Social Networks to Evaluate Candidates - Leisure Activities

Employers admit using information related to leisure activities to make employment decisions. The pictures of rowdy parties with heavy drinking, comments posted that indicate a person drinks, uses drugs, smokes or engages in activities that may not be acceptable to everyone, can exert an influence on a hiring manager trying to fill a position.

However, some states prohibit the use of leisure activities as part of the hiring decision. Furthermore, we come right back to possible problems with disparate treatment and disparate impact. Will you evaluate party pictures differently by race or gender? What about comments regarding sexual activities? Fights? Legal problems? What if a person comments on therapy for severe depression or alcoholism, conditions that may be protected under the ADA? Can you justify the use of this information as job-related and consistent with business necessity?

Do you know if your current employees engage in these same behaviors? It will be difficult to justify using pictures of drinking as a reason to deny employment if many of your current employees also drink.
Social Networks and Employment Law: Are you Putting your Organization at Risk?

Pitfalls to using Social Networks to Evaluate Candidates - Using Friends and Contacts

Another possible trouble spot relates to using information associated with friends and contacts. These sites allow the job seeker to set tight privacy settings on his/her profile, limiting information that visitors can see. However, it is difficult to control what friends are posting. Friends may post pictures of the job seeker or messages and comments containing content that could be less than favorable in a potential employer’s eyes. Again, LinkedIn is less likely to be a source of inappropriate pictures or posts given its professional-oriented purpose.

In addition, employers may try to get references from friends or contacts. While LinkedIn provides a tool by which contacts can write references for individuals, employers may be interested in personally contacting friends or contacts to get an “honest” opinion. This opens up another area of potential problems, if not legally, then possibly ethically. This action could be detrimental to candidate relations. Job seekers may not appreciate employers contacting their friends without their knowledge or permission, and this behavior should be discouraged.
Recordkeeping Requirements for United States Businesses

Federal anti-discrimination regulations obligate employers to maintain certain employment-related records. Title VII requires covered employers to maintain all records associated with employment decisions such as hiring, for a period of one year while Executive Order 11246 requires covered federal contractors to maintain all employment-related records for a period of two years. Employers who use profiles on Facebook or LinkedIn during the hiring process must maintain records of such use.

The regulations related to the Definition of an Internet Applicant (DOIA) went into effect in 2006. Applying to federal contractors and enforced by the OFCCP, the internet applicant regulations define the criteria for a job seeker to be considered an applicant and, subsequently, when federal contractors should solicit race and gender information.

In addition, these regulations include a number of recordkeeping and reporting requirements.
Recordkeeping Requirements for United States Businesses

Definition of an Internet Applicant regulations require that:

- Federal contractors maintain records of certain job seekers depending on whether these individuals were located through an internal or external source.
  - Since social networking sites would be considered an external source, that is, one that is not under the direct control of the employer, employers must maintain the records of all job seekers located on social networking sites who meet the basic qualifications of the position of interest.
- Contractors maintain a record of all searches conducted to fill an open position.
  - If a recruiter is trying to fill an open position for a mechanical engineer and uses one of the search tools available on Facebook or LinkedIn, the recruiter must maintain a record of the position for which the search was conducted, the search date and search criteria.
Recordkeeping Requirements for United States Businesses

Definition of an Internet Applicant regulations require that:

- Contractors maintain a record of all contacts about a position.
  - If a recruiter, while filling a position, looks at an applicant’s Facebook page and subsequently asks the applicant to add him/her as a friend, the recruiter must maintain a record of this request.
  - The same recordkeeping obligations apply if the recruiter uses the email functionality within Facebook or LinkedIn to contact applicants.

It is possible that with the excitement around these new sources to leverage during the hiring process, few federal contractors have considered the associated recordkeeping obligations. Most employers, not just federal contractors, have not considered the recordkeeping obligations discussed earlier to comply with Title VII.
Recommendations

If you must review job seeker information on social networks, LinkedIn may be a slightly safer choice. LinkedIn is designed as a professional social networking site. Its purpose and content is oriented toward professional, job-related information and contains minimal personal information. As we’ve discussed in this eBook, the accessibility of certain personal information may put you at risk of violating several employment laws.

Since Facebook was established for social networking purposes, individuals who establish profiles are interested primarily in connecting with friends and having an outlet to share social, personal information. It is doubtful that many people consider that a potential or current employer will be reviewing their information.
Recommendations

Remember that all methods used to make employment decisions are considered selection procedures and subject to anti-discrimination regulations. Try to standardize the process for evaluating profiles on social networking sites. Document the information you want to find on each job seeker’s profile and how you will evaluate this information. Include screen captures in your documentation. Social networking profiles are ever-changing, so you’ll want to capture exactly what you saw.

Treat everyone the same. To avoid claims of disparate treatment, you should put all job seekers through the same process and apply the same selection criteria. These points apply whether we are discussing employment interviews or evaluating a job seeker based on a Facebook or LinkedIn profile.

Look for adverse impact. If you reject job seekers because of information found on a social networking site, make sure that you record that information and then take a look and see whether members of a protected class are disproportionately screened due to the use of social networking sites in the hiring process.
Recommendations

Where there is adverse impact, the Uniform Guidelines require you to justify the use of this procedure as job-related and consistent with business necessity.

However, even in the absence of adverse impact (at least in the short term), you should make sure that your use of social networks in the hiring process complies with professional guidelines (i.e., SIOP’s Principles) and legal guidelines (i.e., Uniform Guidelines).

The absence of adverse impact in the short term does not guarantee the absence of adverse impact in the long term. Additionally, you don’t want to use a selection procedure that isn’t helping you find the best talent.

Spend some time evaluating the reliability and validity of social networks as screening tools. Is the information reliable? Accurate? Job-related? Does it really help you find good people for your job openings.
Recommendations

We still need to tackle the issue of **access to protected-class information.** One way to address this is to assign one or a few people to conduct screening using the social networks. They would use the standardized process that we discussed earlier and would submit their findings to the recruiter or hiring manager with no information about race, gender, age, disability or other protected-class information. This process will allow you to state that decision makers do not have access to this information, a hard claim to make if the recruiter or hiring manager is searching Facebook or LinkedIn.

For candidate relationship purposes, **consider notifying job seekers** that you may examine information found on social networking sites during the hiring process.

Finally, **maintain all necessary records** required by federal anti-discrimination regulations, including records related to your decision (e.g., the information that you actually looked at and your decision based on that information) and, if you are a federal contractor, information related to searches and contacts about a position.
The Peopleclick Difference

With the excitement around social networking, it is easy to think of this as a natural source to reference during your hiring process. A new source of potential candidates and a source of information about your applicants, sounds like recruiting nirvana. But, beware the pitfalls that come with using these sites. Using social networks as your only source for candidates could be discriminating against potential applicants that do not have social networking profiles. Using social networks as a source of information about your applicants could cause you to discriminate intentionally, or unintentionally, based on protected-class status such as race, gender, religion and so on, or on the basis of one’s leisure activities if they do not agree with your own or with your organizational culture.

Although there are areas of sensitivity when using these sites, you can follow the recommendations provided to ensure that you are using social networking as part of your hiring process without discrimination and in compliance with federal laws.

Peopleclick is the leading global talent acquisition provider for salaried, high-volume and contingent workers. We deliver solutions that help companies find, attract and hire a diverse and productive workforce. Peopleclick empowers clients to radically simplify, improve and measure their talent acquisition lifecycle, while integrating affirmative action and diversity goals into their hiring processes.
About the Author

Dr. Harpe is an industrial psychologist and senior consultant for the Peopleclick® Research Institute (“PRI”), Peopleclick Inc.’s affirmative action research and compliance consulting arm. In this role, Dr. Harpe assists companies in the evaluation of their employment practices as they relate to discrimination. This includes statistical and qualitative analysis of hiring, performance appraisal, compensation and promotion practices, as well as coordination with attorneys and employers involved in discrimination litigation or Office of Federal Contract Compliance Programs (OFCCP) audits. She brings more than 10 years of expertise in industrial psychology and occupational analysis to PRI.