

Using social media for hiring? Be cautious

By LEON THOMPSON

To tweet, or not to tweet?

That is the question human-resource directors and job candidates in all sectors started facing this year after a handful of large employers in other states asked applicants for their social-media passwords. That request violates Facebook's usage agreement, so the Department of Justice followed suit by considering it a crime to violate terms of service in order to enter social-media sites.

Illinois votes to ban password requests

Illinois has become the second state in the U.S. to make it illegal for employers to ask job applicants for passwords to their online profiles.

Gov. Pat Quinn signed the law, which seeks to guard the privacy rights of the social-networking generation. In early August, the Illinois law leaves no exceptions — even for openings that require thorough background checks, according to a recent article by the Associated Press.

"We're dealing with 21st-century issues," said Quinn, calling privacy "a fundamental right."

The law, which takes effect January 1, protects both current employees and prospective hires. However, it doesn't stop bosses from viewing information that isn't restricted by privacy settings on a Web site. Employers also are free to set workplace policies on the use of the Internet, social networking sites and e-mail.

Penalties in any successful civil suit would start at between \$100 and \$300 and could end up costing employers more.

Maryland currently has a similar law, and several other states — including Washington, Delaware and New Jersey — are considering bans. Two U.S. senators have asked the U.S. Department of Justice to review whether such password requests from employers are legal.

However, with no firm laws on the books — though legislation is pending in several states and in Washington, D.C. — companies of all sizes, and their attorneys, are scrambling to recover from a lagging economy while addressing another nagging question: How far is too far when using social media to recruit and screen job candidates?

"It is only one piece to the puzzle," said Kevin Dailey, human-resources director for Mack Molding, an international custom plastics molder with headquarters in Arlington, VT and offices in East Arlington and Cavendish. "The actual job interview is far more important, along with résumés, references, and background checks."

According to a recent report in the *Los Angeles Times*, 92 percent of companies have used social networks to find talent this year. Three out of four hiring managers check candidates' social-media profiles — on Facebook, LinkedIn, and Twitter — and two-thirds of outsourced recruiters use social media for their candidate searches.

The survey also found that posted profanity, grammar and spelling mistakes, and pictures of substance abuse garner the most negative responses from human-resource managers and talent-hunters.

Employers are already bound by anti-discrimination laws, but lawmakers in California and New Jersey have drafted bills that would make it a crime for employers to delve into job candidates' private lives online; such laws are on the books in Maryland and Illinois. Pending federal legislation would also ban educational facilities from disciplining or denying students enrollment for not sharing their social-network access information.

Several human-resources officials said social media is an effective recruiting tool. However, they primarily shy away from making online content — even if it's public domain — a factor in hiring a candidate.

Joy Sylvester, chief human-resources officer for Vermont's Northwestern Medical Center (NMC), said social media has increased the St. Albans hospital's ability to affordably and efficiently target, engage, and recruit qualified candidates. Still,

NMC doesn't formally review candidates' social-media presence as part of the screening process.

Mack Molding, which employs 545 people, hasn't made a personnel decision based on a candidate's public Web presence, "but job seekers should be aware that what is available in the public domain can certainly impact hiring decisions," Dailey said.

"The danger," he said, "is that the information, while sometimes completely innocent, can still cloud the decision-maker's judgment, perhaps unfairly. Information and photography can be too easily misconstrued."

There are two pieces to social media and recruiting at Hypertherm, an international manufacturer of advanced metal-cutting products based in Hanover, NH. The company first uses social media to connect with potential candidates, according to Sarah Dwyer, Hypertherm's talent acquisition leader.

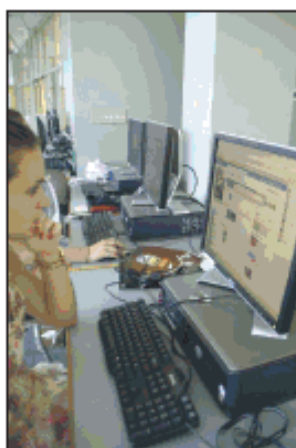
Once candidates are finalists, Dwyer said, Hypertherm explores them further via social media through LinkedIn and rudimentary Google searches, but that is done "very carefully," she said.

Hypertherm doesn't make a final hiring decision based on social-media content, Dwyer said. "It might be used as a point of discussion in the interview process or point of reference for reference checks," she explained. "Our hiring decision is based on the interview and our direct interactions with the candidate."

It also is the only factor at Vermont's Killington Resort, where a candidate's across-the-table profile completely trumps the one online. Even with a young and seasonal staff, Killington doesn't use social media in its hiring process.

"Because we are in the hospitality business, we place significant emphasis on personal interviews with applicants," said Judy Geiger, Killington Resort's human-resource director.

"Staff appearance and behavior are an integral part of the success of our mission," she said. "A person's qualities in this area are not always shining through on their Facebook, Twitter, or LinkedIn profile."



Some employers use social media to recruit and screen job candidates, prompting two states to ban employers from requesting passwords to Facebook accounts from current or prospective employees.

To ensure that employees preserve their companies' online images, employers — such as Hypertherm — have established social-media guidelines for workers. Talks also are underway about drafting one at Mack Molding.

NMC has a code of conduct policy that "calls upon all of NMC staff to represent NMC in a positive manner in our community," Sylvester said.

The general approach has worked to date, but, given social media's popularity, the hospital needs a more specific policy, she said. The same could be said for using social media in hiring, she said.

"As social-media utilization continues to grow and evolve, I believe an industry 'best practice' will emerge," Sylvester said. "Until then, I think each employer should make this decision individually based on their company's culture and values." ♦