10 Recruiting & Hiring Practices to Stop Using Right Now

Managing an HR program is among the most highly regulated of all human endeavors. The risks are especially great when companies seek to recruit and hire new employees. Some of these challenges are familiar, including the need to avoid discrimination under human rights laws. But the emergence of social media and technologies like artificial intelligence has created a new set of problems, as has the enactment of novel laws like pay transparency. Here's a rundown of 10 recruiting and hiring practices HR managers should avoid.

1. Asking Discriminatory Questions During Job Interviews

It's illegal to ask job applicants about their disabilities, marital status, religion, and other personal characteristics that human rights laws protect against discrimination. While a question like "are you pregnant" is an obvious no-no, other inquiries that appear to be neutral, non-discriminatory, and job-related may also cross the line. Examples:

- What's your maiden name?
- Are you a Canadian citizen?
- Where were you born?
- Do you have any children or dependents?
- Are you physically and mentally healthy?
- Where did you go to college and when did you graduate?

Make sure interviewers know the poison questions and the proper ways to rephrase them so they don't discriminate.

2. Using Social Media to Screen Job Applicants

Mining social network sites like Facebook and Instagram enables companies to unearth personal information about applicants that they're not allowed to ask for in interviews or on application forms. And that's exactly why using it is so problematic. Evidence indicating that employers looked at profiles containing information about an applicant's race, sex, sexual preference, etc. is also evidence that the employer considered that information in deciding whether or not to hire the applicant. Social media screening may also run afoul of personal privacy laws.

3. Using AI Solutions with Discriminatory Algorithms

While AI and algorithms can bolster recruiting, it can also get your company into serious legal trouble. The same digital technology that makes it possible to identify and screen job candidates can also be used, whether deliberately or inadvertently, to exclude disadvantaged groups protected by human rights laws. That's why it's essential [to perform a bias audit and take other protective measures](#) before using AI for recruiting and hiring.

4. Posting Ghost Jobs

As many as 1 in 5 online job postings are for jobs the employer doesn't intend to fill, according to recent studies. Companies post these "ghost jobs" for various reasons, such as testing the job market waters, giving the illusion of growth, and building a pool of potential candidates for future openings. Although not illegal, this ghost posting borders on the unethical and companies that engage in it risk damage to their credibility, image, and reputation.

5. Not Listing Salary Information in Job Postings

In addition to discouraging suitable applicants and attracting unsuitable ones, omitting salary information from job ads exposes you to risk of liability in the jurisdictions that have [adopted pay transparency laws](#)—Ontario, BC, Newfoundland, Nova Scotia, Prince Edward Island, and Federal.

6. Asking Applicants About their Salary History

While it may seem perfectly fair, asking applicants about how much they made in their previous jobs is also illegal under [pay transparency](#) laws. It also could get you into discrimination hot water to the extent that the practice perpetuates wage disparities and lower salary ranges for underrepresented groups vis-à-vis equally qualified individuals who don't belong to a minority.

7. Basing Hiring Decisions Solely on the Resume

Resume hiring perpetuates bias in subtle ways. Studies show that employers seeing identical resumes were 57% more likely to call back an applicant with stereotypically white names compared to those with "ethnic" names. To counteract this, some minority job candidates "whiten" their names on resumes to get more job interviews. Sadly, this tactic actually works.

8. Listing Unnecessary Educational Requirements on Job Postings

Degrees and educational requirements are a legitimate criterion for hiring only when they're necessary to perform the job. Listing additional educational requirements that aren't necessary may be a way to exclude protected groups. For example, requiring an MBA for a job that a person with a bachelor's degree could do has the effect of excluding various marginalized groups given that only 20% to 25% of all current MBA holders in Canada are visible minorities.

9. Discriminatory Referral Hiring

Incentivizing current employees to refer their friends and colleagues can be an effective way to lure qualified new people to the company. The problem is that it might also [perpetuate discrimination](#) if the referral pool is made up of solely or predominately privileged white males whose circle of potential referrals doesn't include women, the disabled, or people of other races, religions, etc.

10. Never Getting Back to Applicants After the Interview

It's not illegal but leaving applicants who interview for the job hanging is disrespectful. It may also come back to bite you if snubbed applicants relate their experiences with you on LinkedIn and other sites. That's why you should go through the trouble of getting back to everyone you interview to thank them for applying and let them know you've hired somebody.