

Employers Use of Facebook in Recruiting

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Introduction

With the advent of new web technologies, a grey area of ethical responsibility exists concerning the use of the technology within the workplace. In the case of Facebook, some individuals and entities have used this new database of personal information in ethically questionable ways. The lack of clear rules and standards has led to the dissemination of personal information across the internet for purposes other than what Facebook was intended for. One of the more disturbing ethical infringements on personal privacy is the use of Facebook profiles in employment screening. This new method of employment screening by companies is a clear infringement on the rights of Facebook users. Consider the following scenario:

A recruiter at a Denver based company has a stack of resumes on their desk from recent University of Colorado graduates. Due to time constraints and the fact that each applicant appears equally qualified, the recruiter decides to go online and check their Facebook profiles for any relevant information to aid in the hiring process. However, the recruiter does not have access to the CU Facebook network and asks one of their CU interns to log on for them. The recruiter begins searching through profiles based on the stack of submitted resumes. The first profile pops up. It doesn't take long before the recruiter sees that the applicant's political affiliation is "very liberal" and listed under her interests is a pro-choice feminist club. Being a conservative Christian, the recruiter immediately throws away the applicant's resume, never giving them a fair chance. As alarming as this sounds, it is an increasing occurrence. Should the employer be allowed to see Facebook profiles and screen potential employees based on the information they uncover? This is a question that has only recently come to light due to the explosive popularity of Facebook across the university

system.

Facebook's History and Evolution

In order to fully comprehend the current ethical issues involving Facebook, it is important to understand its history and evolution as a social networking website. Facebook was created in early February of 2004 by Harvard undergraduate, Mark Zuckerberg. Zuckerberg started this site as a modified "Harvard Facebook" which cataloged the freshman class by their names, pictures, and majors. The purpose was to facilitate social interaction among students through an easy to access online network. Within weeks, half of the Harvard undergraduate class were members and there were no signs of slowing down. Zuckerberg, who was a computer programmer, took on the help of his two friends Dustin Moskovitz and Chris Hughes that same month. By the end of second month he made the decision to drop out of Harvard with Moskovitz to help expand Facebook as they felt it could be turned into a profitable venture. They moved to Palo Alto, CA to establish their headquarters in June of 2004. In late 2004 and early 2005 Facebook received large amounts of investment capital which facilitated Facebook's spread across the country to hundreds of colleges and millions of users.¹

In the earliest form, Facebook was only open to college students at select universities. Because of its smaller defined target group, Facebook left the door open for other social networking sites, particularly MySpace, to recruit those excluded from Facebook. This opening gave MySpace the opportunity to gain many more users than Facebook. Most underestimate the vast difference in subscriber numbers. As of September 2006, MySpace had reached a stunning 108 million users while Facebook lagged behind with only 10 million users.² In an effort to increase their footprint, Facebook opened their doors to high school students on September 2, 2005. Even with this increase in users, Facebook was still constraining its market potential to college and high school users with accepted e-mail accounts. Furthermore, as users reached the end of their college careers they would become alienated and lose interest in Facebook unless they were able to move their account into a more fitting network such as a regional or work network. Due to pressure from their venture capital backers, Facebook recently opened their doors to accommodate more than just college and high school users and allow a universal crowd.³

Although Facebook and MySpace are compared to each other like Coke and Pepsi, their products are actually quite different. The most obvious difference is their appearances. Many would describe MySpace as having a chaotic feel due to its pages being covered with advertisements and customizable features. Facebook, on the other hand, is regarded as a much more private network than MySpace. Facebook is marketed as a private network; therefore users appear much more open in presenting their online biography. In contrast, MySpace users list fictitious names rather than their actual names to hide their identities. Additionally, unless specifically requested under the user's privacy settings, information listed on MySpace is open to search engines. A simple search for a person's name could yield an unprotected MySpace profile. This is part of the reason why MySpace users generally choose to list less information than that of Facebook users. Facebook on the other hand has a reputation of being relatively shielded to unwanted viewers, making its users feel more comfortable listing personal information such as phone numbers, e-mail addresses, personal addresses, and other personal details. Facebook also runs on a secure platform preventing posted information from being crawled by search engine bots.⁴

Public vs. Private Information

When discussing the possible misuse of Facebook information, it is important to differentiate between public and private information on the Internet. Many companies who have used Facebook information in their recruiting process argue that it is ethical because if information is on the web then it is deemed public information and is available for any use they desire. This might be true for Facebook users who leave their profiles completely unprotected and open to non-collegiate regional networks. However, protected Facebook profile information can be argued to be private information. Informational privacy is defined as "control over the flow of one's personal information, including the transfer and exchange of that information."⁵ When a Facebook user posts personal information on their profile and then limits that information to a specific network, such as their school or friends, there is a reasonable belief that this information should be considered private. Philosopher James Rachel's viewpoint is that "having privacy enables us to control how much personal information we wish to disclose and how much we chose to retain. Thus privacy enables us to form relationships with individuals, which can range from intimate to casual, depending on how much information about ourselves

we share with others.”⁵ Facebook is used by college students to create and maintain relationships with their peers. Therefore, when recruiters invade the private networks of Facebook users, they are compromising the relationships that have been formed.

In order to address the privacy concerns of their users, Facebook follows two core principles:

1. Those posting on Facebook should have control of their own personal information and
2. Users should have access to the information others want to share.⁴

Technically it is a violation of Facebook’s privacy policy for employers to use Facebook as a recruiting tool. The privacy policy states that “any improper collection or misuse of information provided on Facebook is a violation of the Facebook Terms of Service and should be reported...”⁴ This provision clearly covers employers who are not in the same network as their potential candidate. In addition to violating Facebook’s Terms of Service, user’s profiles could potentially provide employers information that is illegal to ask in an interview such as the applicant’s race, sexual orientation, age, religion, etc.⁶

While users do have some control over their privacy settings nothing is ever certain. When a user changes profile information the old information remains stored on Facebook’s servers for “a reasonable amount of time.”⁴ As far as we know, this could be a month or it could be years. Any information a user inputs on Facebook has the possibility of being retrieved at a later date even if deleted by the user. Facebook's privacy policy also maintains that content posted by the user is posted at your own risk, stating that “Although we allow you to set privacy options that limit access to your pages, please be aware that no security measures are perfect or impenetrable.”⁴

Facebook user’s strong feelings towards their online privacy was made clear on September 5, 2006 when Facebook announced two new features, the “News Feed” and the “Mini Feed”. These added features aggregated information from users and summarized it on the home pages of their friends. This sudden change instantly angered hundreds of thousands of users. Within sixty hours of the change there were 740,000 users who signed a petition to have the new features abolished.⁷ Although this information was already available for users in their network to see, the fact that it was pulled out of context and openly displayed to the rest of a user’s

friends angered people and took away a sense of privacy. In response, Facebook issued an apology and quickly installed privacy options to disable the new features.

How Recruiters Access Facebook Profiles

As Facebook's popularity has grown, some employers have reported that they gained access to job applicant's Facebook accounts in order to gain information about prospective employees and find reasons to disqualify potential applicants.. A University of Dayton sponsored survey of 5,000 employers nationwide found that 40% of employers would consider using the Facebook profile of a potential employee in making the hiring decision. Several employers even reported rescinding offers after checking out profiles on Facebook.⁸ There are multiple ways for employers to gain access to Facebook accounts. The easiest way is if the company signs up for an account and views the applicants profile directly. This is an increasingly rare scenario though due to the privacy levels that almost all Facebook members apply to their profiles. These privacy levels allow users to restrict access to their profile to certain networks, such as their school, or only their friends. Therefore, non-collegiate Facebook members, who were only recently allowed onto Facebook, are barred from the college networks. However, many companies still attempt to use Facebook as a recruiting tool. A New York Times article found that "companies, particularly those involved in the digital world like Microsoft and Metier said researching students through social networking sites is now fairly typical. 'It's becoming very much a common tool,' said Warren Ashton, group marketing manager at Microsoft. For the first time ever, you suddenly have very public information about any candidate."⁹

A second method employers have been known to use involves the use of their current employees' Facebook accounts to search applicant's profiles in which they are in the same network, such as the same college. In this instance, not only is the employer acting unethically, but they are also making their young employees compromise their ethics as well. The employee may have reservations about probing the profiles of their younger college mates, but do so anyway for fear of repercussions from their employer due to noncompliance. There have been many documented cases of this action. Patricia Rose, director of career services at the University of Pennsylvania, said "sometimes companies ask college students working as interns to perform online background checks."⁹

A third means of accessing Facebook profiles and by far the most invasive is to hack into

the Facebook database. This may not be such a hard task for many tech-savvy IT employees at most companies. By this means the company would have access to any profile they wish. In December 2005, two MIT students were able to create a “spider that ‘crawls’ and indexes Facebook, attempting to download every single profile at a given school.”¹⁰ The students were successful and created a database of thousands of student Facebook profiles. If two students were able to accomplish this feat it is reasonable to assume that employers have the same capabilities. Thus it has been shown that although Facebook has attempted to provide privacy to their users within a defined network, it is possible for employers to hurdle these defenses and gain access to personal information.

Employers can also judge your character on Facebook through indirect means. If an employer searches for your profile and finds it is blocked, they can still view your Facebook friends. It is likely that some of your friends do not have their profiles protected and therefore recruiters can see what kind of friends you have. From this information about your friends they can create their own assumptions about you, whether accurate or not. If they find things they do not agree with in your friends’ profiles, whether it’s your best friend or just an acquaintance, you may be held guilty by association. Furthermore, they may begin to wonder why your profile is blocked and assume you must be hiding something.

Based on the various ways employers are able to view your profile and make indirect decisions about your character, it is clear that they are employing unethical practices by viewing private information without your permission. They are hurdling preset privacy defenses to view personal information that was never intended to be seen by employers. Significantly, it is how recruiters interpret and use this information for hiring decisions that has become the most controversial issue.

Misuse of Facebook Information

As discussed earlier, a Facebook profile contains a great deal of the user’s personal information. This information is intended to be shared only among the user’s friends, and not the general public. Facebook users post and share information online with the clear intention to limit this information to their college network or friends. With this state of mind, Facebook users will post information intended to be viewed by their friends rather than considering the impact this may have with potential employers. Chris Wiley, Associate Director in Career

Services at the University of Dayton and a researcher of the evolution of Facebook says “since Facebook was originally created by college students for college students, they view it as ‘their place’ and strictly a social network. The thought that what they put on Facebook would ever be seen by a potential employer is unreal to them. It’s like an employer showing up at one of their parties on a Saturday night.”⁸ This mindset resonates throughout colleges across the country. In the Dayton research study, it found 32% of students think it is unethical for employers to check Facebook, 42% said it was a violation of privacy and 64% felt employers should not use Facebook in the hiring process.⁸

Therefore when an employer is scrutinizing over an applicants profile, they may find information that unknowingly to them is simply a joke or something that is taken out of context. For example, the Dayton research study found 23% of students intentionally misrepresented themselves to be funny or as a joke.⁸ Even worse, an employer may come across information about the individual that they simply do not agree with, such as political affiliation or sexual orientation. A wrong statement here could automatically reject you from being hired even before you interview for the job. This practice of prejudging someone based on limited amounts of information and making assumptions that may be taken out of context about the individual’s life is unfair and unethical. Furthermore, without verification of the information in a user's profile, the conclusion an employer comes to can be completely inaccurate. What if the illicit picture that is tagged to the user isn't actually the user, and the day it was tagged happened to be the day the employer saw their profile? More often than not the prospective employee would never be given the chance to correct the inaccurate negative impression.

There are countless other possible scenarios in which employers may discriminate against an individual based upon their profile. For example, what if under a user's interests they listed “partying.” This is a very ambiguous term that an employer may interpret negatively. To the user, “partying” may simply consist of having a drink or two with a few friends on a Friday night, but an employer may interpret it as binge drinking five nights a week and dismiss the applicant. This resonates back to the question of whether a Facebook profile accurately portrays an individual. Furthermore, if Facebook is going to be used by prospective employers, should college students consider designing their profiles knowing that they may very well be scrutinized by employers?

A Class Case Study

To emphasize the potential misuse of Facebook information in the recruiting process, a small study was performed on the Facebook profiles of the members of our Business Ethics class. As of April 10, 2007 the University of Colorado had 28,624 total students, 24,710 of which were undergraduates. At the time, Facebook's University of Colorado network was made up of 35,185 profiles, indicating that even if every current student had an account, there are other users besides current students with access to the network. This group is largely comprised of alumni, but also includes professors and administrators. Of the students in the class, 38 of the 51 students had Facebook accounts. Just over 47 percent of the students with Facebook accounts had unprotected accounts, granting access to anyone in the university's network. This large number of unprotected accounts validates accessibility of Facebook profiles for employers.

The study focused on briefly searching each of the 18 students' profiles whose accounts were open to anyone in the University of Colorado network. The strategy was then to use the mindset of a recruiter screening applicants with the goal of finding information that we saw as grounds for not hiring the applicant. In each person's profile it was relatively easy to identify information that a recruiter may think as reason enough to not hire the person. The source of each of the "unprofessional" bits of information included posted pictures, political affiliations, interests, groups the user had joined, and wall postings written by other users. Although each piece of information can be seen as humorous within the collegiate environment, an employer may take the information out of context and make an unfavorable character judgment on the individual. For example, in one instance a female user was a member of the group "Future Trophy Wives of America." While a college student would look at this as a joke or think nothing of it at all, an employer may take this as fact and assume the female would only work for a few years before marrying and quitting. In another example, several users had wall postings from other users which mentioned activities ranging from excessive drinking to possible drug use. One person's wall simply read "stoner..." A recruiter might quickly assume this person was a drug user without any further inquiry into their background.

The principal lesson to be learned from this study is that a person should not be judged based on incomplete, inaccurate or personal information. When an employer uses Facebook as a recruiting tool, it invites recruiters to unfairly stereotype applicants based on limited information and usually without verification. Furthermore, it invites recruiters to allow a user's private

information such as sexual orientation or religious affiliation to be included in their decision making process.

An Unfair Ethical Practice

When an employer uses students' Facebook profile information in their hiring process, they are violating the fairness or justice approach to ethics. In short, this approach states that everyone should be treated equally.¹¹ This means that each job applicant should be given the fair chance to be fully considered for the job they have applied for. Decisions should not be made on information that may not accurately or clearly portray the individual. To put it in a context that may resonate with those who are older and have not used Facebook, recruiters' actions are similar to if job applicants following a group of executives on their Sunday morning round of golf and listening to all of their conversations. Then from this information they would be able to form an idea about the firm as a whole and decide if they wanted to work there, whether these people were representative of the firm or not. It is unlikely that these executives would want to censor their conversations, because they are private matters being discussed in their personal forum, even though there is no physical privacy. Companies need to realize that Facebook is not dissimilar from this analogy and deserves the same privacy that the executives would demand and deserve.

When examining this issue, it is also important to understand the ethical framework from which employers justify their actions. Whether knowing it or not, when an employer uses Facebook as a means for employment screening they are practicing the utilitarian approach of ethics. Under this approach "the ethical corporate action is the one that produces the greatest good and does the least harm for all who are affected-customers, employees, shareholders, the community, and the environment."¹¹ In the context of employment screening this means that employers will dig as deep as possible into the personal lives of their applicants, using any means necessary (such as Facebook), in order to hire the best employees who will in turn increase shareholder value. Employers do not care if they invade your privacy during their hiring search as long as it is serving the "greater good" by hiring superior employees.

In the process of using the aforementioned unethical practices, employers use several methods of moral disengagement to justify their intrusions on an applicant's privacy. Albert Bandura, a psychologist at Stanford University, describes the moral disengagement tool of moral

justification:

“People do not ordinarily engage in harmful conduct until they have justified to themselves the morality of their actions. In this process of moral justification, detrimental conduct is made personally and socially acceptable by portraying it as serving socially worthy or moral purposes. People then can act on a moral imperative and preserve their view of themselves as moral agents while inflicting harm on others.”¹² This is the mindset, whether conscious or not, of recruiters searching through Facebook profiles. They believe they must take any actions necessary to hire the best employees, to increase their shareholders’ value, even if that means violating the applicant’s privacy. Similarly, some recruiters use the faulty reasoning of “everyone else is doing it, so why shouldn’t I?”

For example, Tim DeMello, owner of the internet company Ziggs, was asked if he does an Internet search for online profiles when he chooses whom to hire. His reply was “Of course. Everybody does.”¹³ It should be obvious that this reasoning does not hold any water. This statement is equivalent to college students saying “Everyone lies on their resume, so why shouldn’t I?” The answer is because it is unethical.

Consequences of Misuse

Due to the infancy of Facebook and its new found utility for recruiters, the full extent of the effects of its use in employment screening are yet to be seen. Very clear consequences can be seen in the recent cleansing of students’ profiles and the increased use of Facebook’s privacy features. Is this the desired outcome that employers want, that is turning Facebook profiles into resumes? Moreover, has this practice led to employers hiring better employees? One can argue that it could possibly have the opposite affect. Employers may be prematurely dismissing very qualified candidates due to inaccurate assumptions based on a few snippets of their life on Facebook. Also, just because a user removed “inappropriate” information from their profile doesn't mean that their lifestyle will change. Therefore, if recruiters continue to abuse this means of screening, eventually all Facebook profiles will consist of polished information poised to entice the eyes of the recruiter. When this happens, employers will realize they are no longer learning about the individual by their profile and they will find other means to dig into the student's lives. Therefore, the potential outcome is the destruction of a once thriving social networking website to satisfy selfish corporate interests. In essence, by violating Facebook user’s

privacy, employers are applying de facto censorship and hindering individuality and free expression. Students have become afraid to post information in their profiles because they don't know how a prospective employer would interpret the information. Students have also become afraid to share their personal lives with their fellow college students due to the fact that it is easier for corporations to access user's information if their profiles are left unprotected. Such instances are unfortunate as they reflect Facebook's trend from a social networking website towards a bland collection of impersonal resumes.

The Internet has opened large holes into the concept of individual privacy, and the consequences can be frightening. Employers need to realize that they have crossed the boundary and have unjustly infringed on the privacy of aspiring employees. This unauthorized screening also creates a feeling of distrust in the eyes of the employee towards their employer. The argument is not that it is wrong for employers to know about their applicants before hiring an employee, but that Facebook is not the means to acquire this information. Character judgments can be made through many other means, including interviews, letters of recommendation and traditional background checks. It is imperative that corporate America's ethical standards adjust to be appropriate for today's rapidly changing web-based technologies.

From the discussion above, it is clear that when employers bypass privacy settings and search profiles, they are unethically infringing on a Facebook user's personal privacy. Personal information listed in a Facebook account is intended only for a select social network (schoolmates and friends), not as a resume for employers to serve their commercial interests. Furthermore, information listed in user's profiles may not accurately portray the individual or may be taken out of context by potential employers leading to inaccurate stereotypes and dismissal from employment consideration. Finally and perhaps most importantly, Facebook user's knowledge that perspective employers may be checking profiles represses individualism by causing an artificial cleansing of profiles. Ethics require that employment recruiters cease using Facebook in their recruiting process.

While this ethical issue may seem trivial to many people, especially those who are unfamiliar with Facebook's immense influence within the average student's life, there are potentially severe consequences for young aspiring employees. For almost all of today's college students, Facebook plays an integral part in their social and private lives. For an employer to invade the user's personal privacy and make potentially unfounded or speculative hiring

decisions based upon profile information are unfair, unethical and wrong. Employers should stick to other means of employee screening and leave Facebook out of the hiring process.

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