

Can Social Media Accounts Have an Impact on Hiring Decisions? Guidelines for Appropriate Use

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Abstract

The ubiquity of social media accounts is forcing both employers and employees to take a closer look at the hiring process. Additionally, as business faculty are preparing students to enter into the global marketplace, both instructors and students should be aware of the challenges and opportunities that lie within the social media landscape. Organizations are using these open networks to have access to a wider range of applicants. As such, there needs to be an increase in awareness on how social media accounts can impact the hiring process.

Keywords: Social media, hiring, employers, legal risk, awareness

1. INTRODUCTION

Many organizations are leveraging social media websites to source candidates and review suitability of job applicants. Over 80% of the U.S. population (12 and older) used some form of social media account in 2017 (Statista, 2018). The ubiquity of social media use has provided a new method for employers to gather information on prospective employees. With so many potential candidates to hire, many organizations are having to leverage social media websites to review candidates for organizational fit (Jackson, 2011).

While the overall use of social media has increased from 2008 through 2017, the results suggest a decrease from 80% down to 77% by the end of 2018 (Statista, 2018). This may be due to over-saturation of the existing social media market, however the annual report from Edison

Research explains the decline to be primarily attributed to the overall drop in Facebook usage from 67% to 62%, and not surprisingly, most of the Facebook deserters fall within the 12-34 age group, -12% decrease. There was a relatively smaller decrease, -3%, among the 35-54 age demographic, while the 54+ group remained the same (Owsinski, 2018). These data may be of some interest to both employers and job seekers as hiring volume is expected to increase by 58% in the U.S. and even higher on a global market (Linkedin, 2017). Over 3 million executive leaders are expected to retire in 2018 (MRI Network, 2017). And 75% of the global workforce is expected to be made up of millennials by 2025 (Deloitte, 2017). Over 40% of people between the ages of 18-34 are considering a new job and over 20% of people over 35 are considering a career change (Hopkins, 2017). Almost 75% of the workforce is open to making a move for a new

job (Jobvite, 2016). People are actively looking to move and advance their careers. On average over 250 applicants can apply for one new position, and yet only 2% of those applicants will be called for an interview (Glassdoor, 2017).

2. SOCIAL MEDIA IN USE

CareerBuilder.com conducted a study which found 70% of employers used social media searches to screen potential recruitments, this is a 10% increase from a similar survey the site conducted in 2016 (Salm, 2017). A consideration for future research is to evaluate the difference between social networks like Facebook versus professional networks like LinkedIn. Both are considered social media, but LinkedIn is viewed by employers as more of a recruiting site with the user's profile resembling an online resume. With the December 2016 acquisition of LinkedIn by Microsoft, job hunters can deal "directly with the hiring manager/authority at the outset as opposed to the current model wherein a recruiter in human resources initiates contact." (Gillis, 2017). In the authors' experience, social networking sites like Facebook are not viable sources for finding job candidates. Other researchers have noted that sites like "Facebook and MySpace are largely used for making social connections" and that user profile information on LinkedIn may be more accurate "because one's connections (i.e., current and former colleagues) can view and presumably verify or contradict the information" (Davidson, Maraist, & Bing 2011, p. 155-156)

Alternatively, many employers use social media as a justification to terminate employment, if they find that the employee's social media account is inappropriate or proves the candidate violated company policy (Bracetti, 2012). This method could lead to legal ramifications on the part of the employer or the employee, depending on the how the information is used. This paper will investigate the differing opinions of the use of social media for hiring and terminating employees, as well as present some basic guidelines found in the research for employers to avoid unnecessary legal or compliance risks.

Over the past 10 years, social media use grew from 10% in 2008 and reached a peak of 80% in 2017 (Statista, 2018). Among the many motivations for using social media were the development or maintenance of relationships, the need to feel connected to others, gain information, or gain social capital. A Pew Internet Usage survey also concluded that 60% of employees have at least one co-worker as a friend via social media, and 25% of the respondents are

online friends with a supervisor or manager (Drouin, O'Connor, Schmidt & Miller, 2015). This could pose some challenges because of the potential unprofessional nature of content which could be shared among friends, on social media sites. Education and awareness of the ways employers are using social media to determine employment decisions are highly important, and this importance is immensely magnified if there is a social media relationship between manager and employee. A majority of students believed potential employers may use social media to determine eligibility for a job (Brandenburg, 2008). Even though students understand employers are checking online information about them, it doesn't seem to deter or alter college students' behavior on social media platforms (Social Axis, 2012). The Curran Study (Blount, Wright, Hall, & Biss 2016) investigated potential motivations behind the usage of an applicant's social media account to employment decisions by collecting data from approximately 200 companies that had participated in a career fair from 2014 to 2015. Participants were asked a variety of questions which included their motivations behind using an applicant's social media account to make employment decisions. Some responses included:

1. To determine if the applicant is a good cultural fit for employment.
2. To determine if the applicant exhibits professional/tasteful online presence.
3. To learn more about the individual.

(Blount, Wright, Hall, & Biss 2016, p. 123).

Individuals entering the job market should understand what employers are looking for on their social media pages so they can make good decisions when displaying personal information on their accounts. Applicants should be aware that prospective employers will conduct their online reviews including search engines and relevant social media sites (Jackson, 2011) There can be a strategic advantage for those who are able to highlight the favorable and supportive posts. Applicants can enhance their online image by posting positive contributions such as examples of their work, volunteer or service activities, and relevant professional memberships and associations (Chiang & Suen, 2015).

Potential Legal Risks

Current and potential employees must understand the reasons employers are seeking information, a company's legal parameters, as well as their individual legal rights as a current or potential employee. Employers could find themselves in a legal bind if they choose not to

hire a candidate based on criteria determined to be discriminatory.

1. Passing on a candidate because they are a member of a religious organization.
2. Passing on a candidate based on perceived political differences.

The Equal Employment Opportunity Commission (EEOC) reported that 70% of recruiters in the United States reported rejecting a candidate considered for employment based on pre-employment screening. According to the EEOC, 75% of recruiters say they are required to conduct online searches for prospective candidates, by the companies they contract with, to uncover any undesirable information. Candidates must give consent to these screenings, and the screenings must attempt to eliminate any data related to the potential identification of personal information which could put the company at risk for discrimination, such as race, marital status, disability, marital status, religion, etc. The EEOC reviewed numerous discrimination claims in 2011. Social media could create unconscious bias because in some cases, this information can be inadvertently uncovered and make way for legal claims (Hidy & McDonald, 2013).

The National Labor Relations Board (NLRB) protects the National Labor Relations Act. According to their website, "[t]he National Labor Relations Act protects the rights of employees to act together to address conditions at work, with or without a union. This protection extends to certain work-related conversations conducted on social media, such as Facebook and Twitter" (NLRB, 2018, para. 4). In 2011, the NLRB started receiving charges related to Employer policies of social media use for employees, and disciplinary actions of employees for Facebook posts. Upon review, the NLRB found many of the complaints were warranted, and several companies had violated federal labor law. By fall of 2012, the board began making decisions which would set precedence for future rulings on this controversial topic (NLRB, n.d).

3. INCREASING AWARENESS

Hiring and firing based on an individual's social media content is a topic which has differing opinions. Social media platforms have a certain element of publicly displayed information, even if the user is set to private. A research study conducted within a university-level business communications class outlines the roles of students and instructors on the various topics of social media; specifically, what information can

be obtained by employers and how students should adjust their social media use accordingly (Blount, Wright, Hall, & Biss, 2016). Bohnert and Ross (2010) explored how the content from social network sites can influence the evaluation of job candidates. The results showed that applicants with more "professional looking" or "family-oriented" social networking sites were seen as more suitable for the job and more conscientious than applicants with alcohol-related or inappropriate social media pages (Bohnert & Ross, 2010). Ironically, students did not indicate that information such as unethical behaviors, work habits, alcohol use, and communications skills was as easily obtainable from social media sites, whereas, human resource members strongly believed this information was easily obtainable. This research indicates a disconnect between students and employers, and their perspectives on this subject. This could be because students do not fully understand the impact of information they share online, or human resource managers are overestimating their ability to obtain information from social media sites (Blount, Wright, Hall, & Biss, 2016).

A study performed by Blount, Write, Hall and Bliss (2016, pg. 207), on 448 young adult participants asked a series of questions about concluded the following:

1. 44% of the participants stated social media should not be used for hiring and firing
2. 28% of participants were neutral
3. Less than 1/3 of young adults sampled expressed any agreement with the practice of using social media to make employment decisions
4. 29% of young adults felt individuals should not lose their jobs if they post illegal sexual behavior or material on their social media accounts
5. 10% of young adults feared being fired based on posts on their social media accounts

The sample pool was young adults, ages 18-27 (Drouin, O'Connor, Schmidt & Miller, 2015, pg. 127).

4. GUIDANCE FOR SOCIAL MEDIA

From the perspective of the potential or current employee, it is important to use good judgment when posting to social media. As the number of employers who use social media to make employment decisions continue to rise, individuals should also understand that lawsuits are not always found in favor of the employee or

candidate. The same is true for employers who choose to use social media to screen candidates and current employees. The University of Oxford (2018) provides guidelines to follow when using social media platforms (Figures 1 through 4 located at the end of this paper).

While these recommendations are more for university faculty and staff on the acceptable use of social media, using these tips (Figures 1-4) as a guideline within the classroom may help students prepare their applications for prospective employers. There continues to be a valid concern for many faculty and industry professionals alike as employers continue to make first impression judgments based on social media postings that include: poor communication skills, drinking or drug use content and bad-mouthing previous employers, and posting inappropriate photographs (Vicknair, Elkersh, Yancey, & Budden, 2010).

As the authors of this paper have over 40 combined years of supervisory-level experience within both privately held and publicly-traded companies, we are increasingly alarmed at the lack of attention candidates have paid in maintaining and securing their social networking sites. Anecdotally, we have found that professional networking sites like LinkedIn, MeetUp, and Handshake can be a valuable source of candidates for hiring purposes. Sites like Facebook, Instagram, and Twitter that are more social in nature may not aid in hiring but may reveal negative postings by candidates that result in a decision to choose another individual – or the termination of an existing employee. On the latter item, it is important for companies to have a social media policy to clearly inform employees what social media activities are acceptable, and which may result in termination.

From the perspective of the human resource, or hiring manager, it is important to use reasonable judgment when using social media to either screen candidates for hiring purposes or monitor social media for inappropriate behavior. The United States EEOC's website contains information for employers and outlines the laws, regulations, and policies against the discriminatory behavior. Items include age, disability, equal pay/compensation, genetic information, harassment, national origin, pregnancy, race/color, religions, retaliation, sex, and sexual harassment. According to their website, the Title VII of the Civil Rights Act of 1964 is the law that "makes it illegal to discriminate against someone based on race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person

because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business" (EEOC, 2018, para. 1). Companies should consider implementing a social recruiting policy established to define what the employer is and is not looking for when reviewing a candidate's social media profile (Bolton et al, 2013).

5. CONCLUSION

Employers have access to more employee data than ever before. Similarly, applicants have access to a greater range and scope of job opportunities. Both employers and prospective employees can benefit from these open social networks. Using social media as a tool to screen candidates and current employees is increasing as organizations increasingly rely on the social media platforms. University faculty members are responsible for educating their students as future job applicants and as future hiring managers on the importance of managing social media platforms effectively. Employers should use precaution and good judgment when screening profiles to make employment decisions, to ensure they do not inadvertently or purposefully discriminate. The EEOC's website on laws enforced by the EEOC (2018) outlines many of the laws and regulations which may help employees and employers better understand the scope and breadth of the regulations as to avoid the discriminatory behavior.

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6. FIGURES

Figure 1 – Social Media Guidance – Confidentiality

Guidelines to follow when using social media platforms

▾ Confidentiality

- ◆ The principles of the GDPR and related UK data protection legislation and the University's policy on data protection must be adhered to at all times. For example, confidential information should never be disclosed, unless appropriate, written consent has been given and the information is shared securely and safely.
- ◆ Care should be exercised with any photographs taken at work and posted in a public domain;
 - ◆ be mindful of what the pictures might reveal (eg in the background);
 - ◆ ensure that anyone featured in the photograph has given their express consent to the photo being posted online;
 - ◆ photographs of children should only feature in professional publications (online and printed media) where written authorisation and consent have been obtained from all parties, and the [NSPCC guidelines](#) have been followed.

Figure 2 - Online Behavior Expectations

▼ **Online behaviour expectations**

- ♦ The University expects all its staff members to treat each other with respect, professionalism, courtesy and consideration in all forms of communication with one another.
- ♦ Be aware that the creation, transmission, or display of material, which is intended or likely to harass another person, constitutes a breach of the [University Policy and Procedure on Harassment](#). This could lead to both disciplinary action by the University and action by external bodies, depending on the severity of the offence.
- ♦ At all times be aware that potential conflicts may arise through the use of social media channels, for example publicly expressing highly controversial opinions online (especially anything that could be interpreted as discriminatory as per the Equality Act 2010, in relation to disability, gender, sexual orientation, race etc).
- ♦ Where personal opinions are publicly expressed online, eg in a blog, it must be clearly stated that these are your own personal views and that they do not reflect those of the University. Where appropriate, use separate accounts for personal and professional purposes for social media interaction.
- ♦ Ensure that any information disclosed online and/or your conduct does not bring the University into disrepute or breach the Data Protection Act 1998.
- ♦ Social media channels are public spaces and you should not publish anything which should not be in the public domain, eg confidential information or inappropriate photographs.
- ♦ Follow the University's [Regulations Relating to the use of Information Technology Facilities](#).

Figure 3 - Authorization, Approvals, and Copyright

▼ **Authorisation and approvals**

- ◆ Obtain written permission from the University before commencing online public campaigns, or making an announcement on behalf of the University (as with any other form of public communication).
- ◆ Follow the [University brand guidelines](#), for example, be aware of how the [University logo or crest](#) should be used online.
- ◆ Photographs that might reveal anything in relation to University's work, whether intentionally or not, must not be posted in a public domain unless written authorisation to do so has been given by the University (eg through a Principal Investigator, the Head of Department, or the sponsor terms).

▼ **Copyright and IPR**

- ◆ Ensure that any information disclosed online does not bring the University into disrepute, and that confidentiality and copyrights are not breached. This also applies to any photographs publicly posted.
- ◆ Be aware of [Intellectual Property rights](#) of the University and of others.

Figure 4 - Security and Privacy

▼ **Security**

- ◆ Familiarise yourself with the terms of use, privacy policy and other policies of the social media sites and networks that you use.
- ◆ Ensure you have protected yourself and your colleagues by setting the appropriate levels of security in your personal and professional accounts on social media sites and networks. Follow the IT Services guidance on [applying security settings to social media accounts](#).