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# Uncovering Unemployment Bias

by [Jennifer Miller](#) on August 1, 2011



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It's long been HR's dirty little secret: the unemployed don't always get a fair shake at the interview table. This notion was explored on NPR's Talk of the Nation program in a segment titled [The Hard Truth: Companies Don't Hire Unemployed](#). It's something human resources professionals would not care to admit but it exists: there's a negative bias towards the unemployed job applicant.

The "secret" has been brought right into the light of day. Now, some companies are broadcasting their bias overtly: if you're unemployed, don't bother sending a resume. As if being unemployed wasn't bad enough, out-of-work people can add "discrimination" to their list of woes. And so far, it's perfectly legal.

According to the [EEOC](#), there is a trend in publicly advertised job postings: some employers and staffing agencies now specifically state that "[only employed candidates need apply](#)." So far, the only state that outlaws this practice is New Jersey. The EEOC is investigating the trend to determine not only its scope, but its legality. For now, it's perfectly legal for prospective employers to screen via a person's employment status.

It's this kind of candidate selection practice that gives Scott Adams fuel for [Catbert the Evil HR Manager](#).

To my way of thinking, it may be *legal* to screen via a candidate's employment status, but is it *moral*? Isn't there any room left for the "human" in the human resources field? Is it truly necessary to kick a person when he's down due to unemployment? We can all tell stories of perfectly competent people, who, through no fault of their own, are currently without a job.

Many will make the case that the longer a person is out of a job, the less “fresh” their job skills are. The NPR article cites professionals in the IT and Sales fields as two examples where evidently, people’s skills decay as quickly as last week’s lettuce.

I don’t buy that line of thinking. While it’s true that technology changes rapidly, people can learn rapidly too. Furthermore, people have many skills that never get old—strong work ethic, creativity, teamwork—to name a few. To screen out a candidate before she even has a chance to articulate what’s she’s been doing during her unemployed status is ridiculous. It robs the employer of a potentially qualified candidate—one that is likely to be grateful to have a job and ready to give her all.

The only thing that screening for employment will do is decrease (by a fraction) the number of resumes on a recruiter’s or HR manager’s desk. In itself, unemployment is not necessarily a predictor of successful future employment. In order to determine how good a fit the applicant’s skills will be, someone needs to first **talk** with him or her. This conversation can’t happen if job seekers are banned from applying in the first place.

What do you think—is the practice of screening for unemployment truly a trend on the rise? Or, is it just a blip in the recruiting landscape that’s being driven by high unemployment?

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[Heather August 1, 2011 at 2:43 pm](#)

I hope it’s just a blip, but unfortunately i feel like it is a trend on the rise. It’s something that hits close to home for me because I’ve had relatives out of work and are having trouble getting calls for interviews. My sneaking suspicion says it’s because of their employment status.

With the unemployment rate the way it is it boggles my mind that companies would discriminate based on this factor. It’s not like the economy is booming and there are a ton of jobs available. I’d honestly question wanting to work for a company like that.

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[Jennifer V. Miller August 1, 2011 at 3:03 pm](#)

Heather,

You have hit on a key factor – would you really want to work for a company that is so blatantly discriminatory. I know that many long-term unemployed people might be willing to take the chance on nearly \*any\* hiring company these days, but to me it signals problems deep within the company's culture.

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[Dan Ryan August 1, 2011 at 8:52 pm](#)

I work with a long-standing career transition group in the Nashville area and this situation is becoming more common. A number of those we work with in any given week are over 45 and many are over 55. It is so unfortunate to see such gifted and experienced people so openly disregarded by those who think they must have some problem because they are unemployed.

I am not typically a fan of federal government intrusion in the workplace, but it would do some good for many employers to have a “wake up” call regarding their wanton disregard for those who are temporarily out of the workforce.

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[Jamie Cummins August 2, 2011 at 7:06 pm](#)

When going through applications one of the aspects I look for is previous employment. I look at how long a person was with a company, or does this person change jobs regularly. – good insight on the article.

Jamie

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[Jennifer V. Miller August 3, 2011 at 7:39 am](#)

@Dan – Regarding government involvement – according to the EEOC website, New Jersey is the only state to specifically ban this practice. It's a sad commentary on our society that we have to pass a law saying not to exclude unemployed people.

@Jamie – the practice you cite: reviewing the person's application for employment history – I see that as part of a typical screening of job applicants. Nothing inherently wrong with that practice. What I see as problematic is excluding an unemployed person from even applying for a job due to his or her

current employment status.

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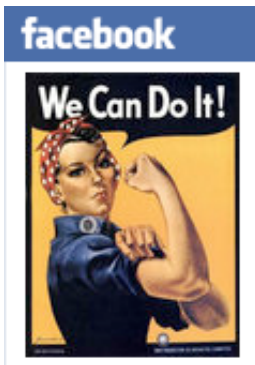


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