

Facebook check may breach applicants' privacy

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Alberta's privacy monitor is warning organizations to think twice before logging onto Facebook or Twitter to vet potential employees or volunteers.

The office of the information and privacy commissioner issued guidelines Thursday for the use of social media for background checks.

"We're not saying you can't do it. We're saying that you need to take a really careful look at your obligations under the privacy laws and see if you can meet those requirements in social media.... It's going to be very difficult to do that," said Diane McLeod-McKay, director of the Personal Information Protection Act within the office.

"From a practical sense, an employer would probably be better off to use traditional means of assessing qualifications and an individual's ability to do their job than run the risk of violating privacy laws."

McLeod-McKay said the privacy commissioner's office is receiving an increasing number of inquiries around the use of social media by employers and has one investigation relating to a complaint.

There are numerous aspects of privacy law that may be breached by checking up on a Facebook page or other social medium, she said, starting with the question of whether it can be seen as a reasonable action under the law.

There is also a problem with the inadvertent collection of third-party information when such sites are viewed and a potential inability to ensure that information on such sites is accurate, a requirement under the law.

Even if a prospective employee or volunteer consents to an organization viewing a personal social media site, the issues under privacy law remain, McLeod-McKay said.

"This is a big risk out there for people," she said.

Tom Keenan, a professor at the University of Calgary's school of environmental design, said the privacy commissioner's latest release is a wake-up call for companies and organizations whose natural inclination will be to use social media sites as one more tool in selecting employees.

"If it's a little oil company and they're thinking of a receptionist and they go to her Facebook and they find that she parties all weekend, that ain't good," he said.

"People always need to be reminded of the privacy laws because there's a temptation just because it's out there to use it," Keenan added.

While employers must be mindful of the law, Keenan said his advice to individuals is to be careful about what they post online and to clearly separate their personal life from their private life.