

# Navigating Employee Privacy in the Hiring Process

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## Equal Employment Opportunity Commission (“EEOC”) Position

- New Strategic Enforcement Plan
- Emphasis on Litigation
- Seeking Monetary Recovery from Settlements with Employers



## Ban the Box

- Aim to End Discriminatory Practice Against Minorities
- New Seattle Ordinance 124201, Seattle Municipal Code 14.17 et. seq.
- Controversy Regarding Criminal Background History and Protected Classes



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## Recent Fair Credit Reporting Act (“FCRA”) Guidance

- Requirements for Background Checks
- Expansive Interpretation on Private Information
- Employer Liability
- Case Examples



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## Social Media Privacy in Hiring

- New Washington law on Restriction of Access to information
- Pre-hire, Post-hire, and exceptions



## Marijuana Use

- Pre-hire Drug Testing
- Initiative-502 and Interviewing the “Dude”
- Establishing a Drug-Free Workplace



***Thank you!***



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