

## VIEO INTERVIEW ACT PASSES GENERAL ASSEMBLY

The Video Interview Act, which passed both houses of the General Assembly on May 29, 2019, provided safeguards for applicants to positions.

In recent year, the new technology of Artificial Intelligence Review (“AI review”) has become popular with some hiring employers. Employers interviewing candidates for an open position can video record the interview and send the recording for review by “artificial intelligence.” This AI review ostensibly can identify when an applicant is being truthful and can assist the employer in evaluating the candidate’s fitness for the position.

The Act imposes restrictions on the use of AI review in the hiring process. The Act provides that before recording a video to be used in AI review, the interviewing employer must first disclose to the candidate that AI review will be utilized and must explain how AI review works. The Act also states that the employer must receive consent from the candidate before the interview begins to perform AI review. The Act additionally provides restrictions on the videos created for AI review, stating that they cannot be shared outside of the AI review process, and that they must be destroyed within 30 days upon the candidate’s request.

The bill is expected to be signed by the Governor and will become effective immediately. If you have any questions regarding the changing legal landscape for employers and employees, please do not hesitate to contact Asher, Gittler & D’Alba, Ltd.

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