

Employers Ask Job Seekers For Facebook Passwords

BY MANUEL VALDES
AND SHANNON MCFARLAND
Associated Press

SEATTLE — When Justin Bassett interviewed for a new job, he expected the usual questions about experience and references. So he was astonished when the interviewer asked for something else: his Facebook username and password.

Bassett, a New York City statistician, had just finished answering a few character questions when the interviewer turned to her computer to search for his Facebook page. But she couldn't see his private profile. She turned back and asked him to hand over his login information.

Bassett refused and withdrew his application, saying he didn't want to work for a company that would seek such personal information. But as the job market steadily improves, other job candidates are confronting the same question from prospective employers, and some of them cannot afford to say no.

In their efforts to vet applicants, some companies and government agencies are going beyond merely glancing at a person's social networking profiles and instead asking to log in as the user to have a look around.

"It's akin to requiring someone's house keys," said Orin Kerr, a George Washington University law professor and former federal prosecutor who calls it "an egregious privacy violation."

Questions have been raised about the legality of the practice, which is also the focus of proposed legislation in Illinois

and Maryland that would forbid public agencies from asking for access to social networks.

Since the rise of social networking, it has become common for managers to review publically available Facebook profiles, Twitter accounts and other sites to learn more about job candidates. But many users, especially on Facebook, have their profiles set to private, making them available only to selected people or certain networks.

Companies that don't ask for passwords have taken other steps — such as asking applicants to friend human resource managers or to log in to a company computer during an interview. Once employed, some workers have been required to sign non-disparagement agreements that ban them from talking negatively about an employer on social media.

Asking for a candidate's password is more prevalent among public agencies, especially those seeking to fill law enforcement positions such as police officers or 911 dispatchers.

Back in 2010, Robert Collins was returning to his job as a correctional officer at the Maryland Department of Public Safety and Correctional Services after taking a leave following his mother's death. During a reinstatement interview, he was asked for his login and password, purportedly so the agency could check for any gang affiliations. He was stunned by the request but complied.

"I needed my job to feed my family. I had to," he recalled.

After the ACLU complained about the practice, the agency amended its policy, asking instead for job applicants to log in during interviews.

"To me, that's still invasive. I can appreciate the desire to learn more about the applicant, but it's still a violation of people's personal privacy," said Collins, whose case inspired Maryland's legislation.

Until last year, the city of Bozeman, Mont., had a long-standing policy of asking job applicants for passwords to their email addresses, social-networking websites and other online accounts.

And since 2006, the McLean County, Ill., sheriff's office has been one of several Illinois sheriff's departments that ask applicants to sign into social media sites to be screened.

Chief Deputy Rusty Thomas defended the practice, saying applicants have a right to refuse. But no one has ever done so. Thomas said that "speaks well of the people we have apply."

When asked what sort of material would jeopardize job prospects, Thomas said "it depends on the situation" but could include "inappropriate pictures or relationships with people who are underage, illegal behavior."

In Spotsylvania County, Va., the sheriff's department asks applicants to friend background investigators for jobs at the 911 dispatch center and for law enforcement positions.

"In the past, we've talked to friends and neighbors, but a lot of times we found that applicants interact more through so-

cial media sites than they do with real friends," said Capt. Mike Harvey. "Their virtual friends will know more about them than a person living 30 yards away from them."

Harvey said investigators look for any "derogatory" behavior that could damage the agency's reputation.

E. Chandlee Bryan, a career coach and co-author of the book "The Twitter Job Search Guide," said job seekers should always be aware of what's on their social media sites and assume someone is going to look at it.

Bryan said she is troubled by companies asking for logins, but she feels it's not a violation if an employer asks to see a Facebook profile through a friend request. And she's not troubled by non-disparagement agreements.

"I think that when you work for a company, they are essentially supporting you in exchange for your work. I think if you're dissatisfied, you should go to them and not on a social media site," she said.

More companies are also using third-party applications to scour Facebook profiles, Bryan said. One app called BeKnown can sometimes access personal profiles, short of wall messages, if a job seeker allows it.

Sears is one of the companies using apps. An applicant has the option of logging into the Sears job site through Facebook by allowing a third-party application to draw information from the profile, such as friend lists.

Sears Holdings Inc. spokeswoman Kim Freely said using a Facebook profile to

apply allows Sears to be updated on the applicant's work history.

The company assumes "that people keep their social profiles updated to the minute, which allows us to consider them for other jobs in the future or for ones that they may not realize are available currently," she said.

Giving out Facebook login information violates the social network's terms of service. But those terms have questionable legal weight, and experts say the legality of asking for such information remains murky.

The Department of Justice regards it as a federal crime to enter a social networking site in violation of the terms of service, but during recent congressional testimony, the agency said such violations would not be prosecuted.

Lori Andrews, a law professor at IIT Chicago-Kent College of Law specializing in Internet privacy, is concerned about the pressure placed on applicants, even if they voluntarily provide access to social sites.

"Volunteering is coercion if you need a job," Andrews said.

Neither Facebook nor Twitter responded to repeated requests for comment.

In New York, Bassett considered himself lucky that he was able to turn down the consulting gig at a lobbying firm.

"I think asking for account login credentials is regressive," he said. "If you need to put food on the table for your three kids, you can't afford to stand up for your belief."

A+ Students of the Week



Abby Hora
Parents: Curtis & Eileen Hora
Grade: 8th
School: Viborg School District
Why nominated? Abby has achieved excellence in both academics and athletics. She is a natural leader who provides a positive influence for the students in the Viborg School District.
Favorite Subject: Algebra I
Favorite School Memory(s): Playing in all school sports.



Andrew Hora
Parents: Curtis & Eileen Hora
Grade: 11th
School: Viborg School District
Why nominated? Andrew is a positive role model whose high values and moral standards have earned him the respect of his teachers, teammates, and peers.
Favorite Subject: Chemistry & Pre-Calculus
Favorite School Memory(s): Winning baseball state championship playing with the Irene Cardinals this summer! Also, going to all the state basketball tournaments.



Zach Kraning
Parents: Patrick & Lisa Kraning
Grade: 12th
School: Viborg School District
Why nominated? Zachary is a positive role model for students and athletes in the Viborg School. He is committed to excellence in his classes and on the playing field.
Favorite Subjects: Video Editing & A.P. History
Favorite School Memory(s): Playing in the last three state basketball tournaments.



Melissa Kroeker
Parents: Jerry & Judi Kroeker
Grade: 6th
School: Viborg School District
Why nominated? Melissa works really hard to get her homework done when we have time allotted for school. She answers and asks questions that are pushing students in her class to learn.
Favorite Subjects: Music & Reading
Favorite School Memory(s): Meeting my first real friend in second grade.



Cassidy Sayler
Parents: Jeremy & Angie Sayler
Grade: 4th
School: Viborg School District
Why nominated? Cassidy is a very dedicated student. She follows all of the classroom rules and meets all the school.
Favorite Subject: Art
Favorite School Memory(s): The "Snowball Fight" reading incentive.



Brodee Sherman
Parents: Jason & Leslie Sherman
Grade: 5th
School: Viborg School District
Why nominated? Brodee is a great role model. He works hard on his school work and has great sportsmanship on and off the court.
Favorite Subject: Math
Favorite School Memory(s): Watching the movie, "Holes."



Austin Ahmed
Parents: Michael & Christine Ahmed
Grade: 11th
School: Vermillion High School
Why nominated? His perseverance when things are difficult and his incredible progress.
Favorite Subjects: Weight Lifting & Art
Favorite School Memory(s): When I received the Recycling Award at Vermillion High School Award Day.



Kelly Amundson
Parents: Kurt & Peggy Amundson
Grade: 12th
School: Vermillion High School
Why nominated? Kelly has shown great drive to succeed in the classroom and athletics. She always wants to learn and be the best she can be.
Favorite Subjects: Chemistry & History
Favorite School Memory(s): Playing hide and seek with my entire German class.



Caitlin Britten
Parents: Lynn Riley & Hugh Britten
Grade: 10th
School: Vermillion High School
Why nominated? Caitlin is very thoughtful, respectful and dedicated.
Favorite Subjects: Geography, German & Choir
Favorite School Memory(s): When I got a one for my solo at the Regional Choir Competition.



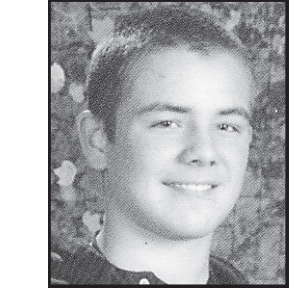
Shaylene Davis
Parents: Charidy Davis
Grade: 9th
School: Vermillion High School
Why nominated? Shaylene is very kind, achieves academic excellence and brightens everyone's day.
Favorite Subjects: Food & Wellness, English & Computer
Favorite School Memory(s): I love to cook and share with others.



Mikaela French
Parents: Rollie "Tom" & Jennifer French
Grade: 11th
School: Vermillion High School
Why nominated? Involved! If there is an organization that requires leadership Mikaela is in the middle of it. She leads by example, is modest & humble. She has a 3.9 GPA and takes her education very seriously. We are lucky to have a student like her here.
Favorite Subjects: Math & Chemistry
Favorite School Memory(s): Homecoming Week festivities



Chelsea Gilbertson
Parents: Marty & Teresa Gilbertson
Grade: 11th
School: Vermillion High School
Why nominated? Her enthusiasm and her scholastic excellence and fun personality.
Favorite Subjects: Business & Finance
Favorite School Memory(s): Sophomore Career Day - The reef movie was amazing in the I-Max theatre because it made everything so real! Also, I'd never been to the Pizza Ranch before, and getting 100 student at once was rowdy! Most of all, I loved hearing the speakers describe what life is like in my exact desired field.



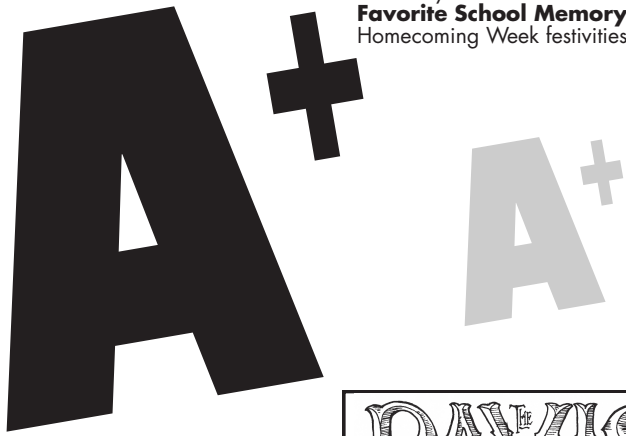
Tyler Madsen
Parents: Robert Madsen & Angela Culver Madsen
Grade: 9th
School: Vermillion High School
Why nominated? Solid academic performance and his pleasant disposition.
Favorite Subjects: Science
Favorite School Memory(s): When our science class did many different experiments, such as dealing with methane gas.



Paige Severson
Parents: Janell Solomon & Ben Severson
Grade: 10th
School: Vermillion High School
Why nominated? Chosen for her enthusiasm, scholastic excellence, positive attitude and her willingness to contribute.
Favorite Subjects: Math, English & Music
Favorite School Memory(s): During Homecoming when our school Dance Team was scheduled to dance at the football game half-time. When our coach hit play for the music, it didn't work. We sang the song and danced to it. It really brought us together as a team and showed the rest of the school how dedicated we were!



Nathan Svendsen
Parents: Roger & Robin Svendsen
Grade: 10th
School: Vermillion High School
Why nominated? He is intuitive and takes constructive ideas to heart and applies those ideas to his scholastic tasks. His smile is contagious. He is a diligent, hard-working young man.
Favorite Subjects: Science & History
Favorite School Memory(s): Going to the sporting events at the high school and the Dome.



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