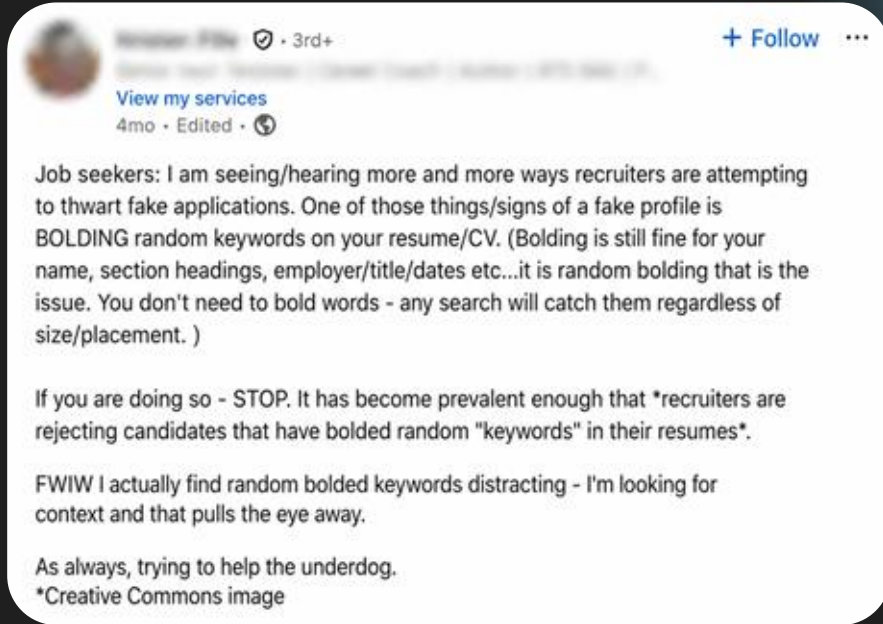


Hiring by Algorithm: Legal Guardrails for AI Use in the Recruiting Lifecycle

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AI in recruitment is no longer theoretical

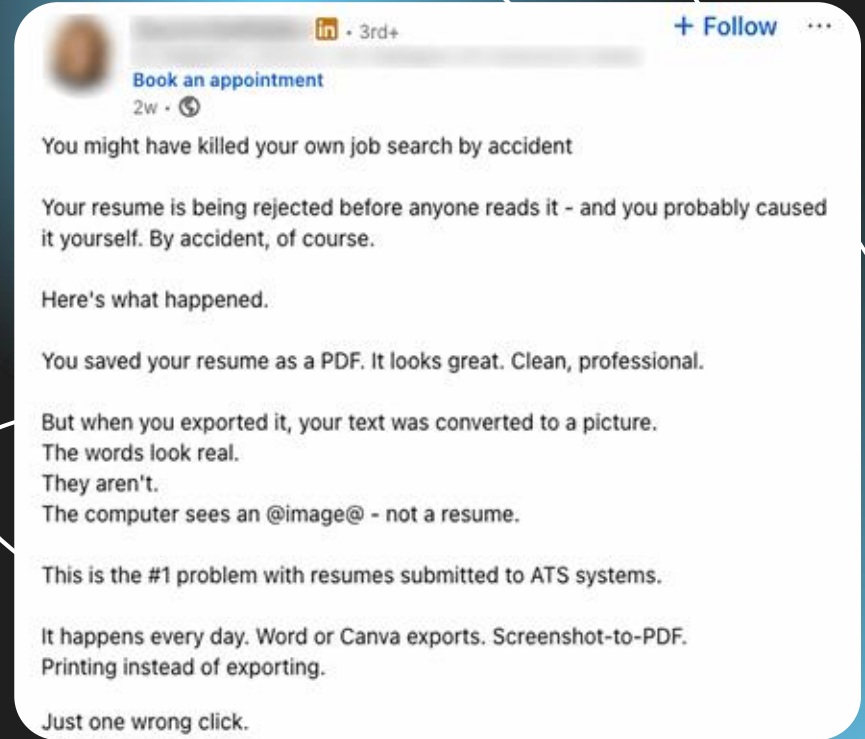


Job seekers: I am seeing/hearing more and more ways recruiters are attempting to thwart fake applications. One of those things/signs of a fake profile is **BOLDING** random keywords on your resume/CV. (Bolding is still fine for your name, section headings, employer/title/dates etc...it is random bolding that is the issue. You don't need to bold words - any search will catch them regardless of size/placement.)

If you are doing so - STOP. It has become prevalent enough that *recruiters are rejecting candidates that have bolded random "keywords" in their resumes*.

FWIW I actually find random bolded keywords distracting - I'm looking for context and that pulls the eye away.

As always, trying to help the underdog.
*Creative Commons image



Book an appointment
2w · 🌐

You might have killed your own job search by accident

Your resume is being rejected before anyone reads it - and you probably caused it yourself. By accident, of course.

Here's what happened.

You saved your resume as a PDF. It looks great. Clean, professional.

But when you exported it, your text was converted to a picture. The words look real. They aren't. The computer sees an @image@ - not a resume.

This is the #1 problem with resumes submitted to ATS systems.

It happens every day. Word or Canva exports. Screenshot-to-PDF. Printing instead of exporting.

Just one wrong click.

Now presenting



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Building Out an AI Hiring Playbook

Classify the use case:

Is the tool assistive, influential, or determinative?

- Colorado AI Act
- European Union AI Act
- National Institute of Standards and Technology AI Risk Management Framework

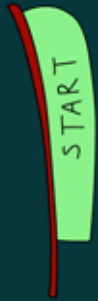
Test and validate the workflow

- California Fair Employment and Housing Act (“FEHA”) Regulations
- Illinois Human Rights Act amendments
- Workday class action litigation

Notice, rights, and governance

- New York City Local Law 144
- California Automated Decision-Making Technology (“ADMT”) Regulations

AI Hiring Obstacle Course



What is the tool actually doing?

Is the tool generating information, ranking candidates, flagging risk, triggering automation, or effectively narrowing the pool?

Can you validate it?

Focus on bias audits, algorithmic discrimination, proxy discrimination, and disparate impact risk

Have you explained it to the public?

Notice, transparency, and what can realistically be disclosed to candidates?

Do candidates have a say?

Rights relating to access, opt-out, correction, appeal/escalation, consent, deletion, or human review

Are you in a position to govern it?

Governance, record retention, impact assessments, and documentation

Could you defend the workflow?

May need to justify your approach to a regulator, plaintiff, auditor, board, leadership, or acquirer

The pressure from business/HR teams is real



Read 5,000 applications manually



Use AI to sort, rank, and review at scale

Why companies turn to AI in recruiting:

- Application volume
- Demands for efficiency
- Fraud prevention
- Candidate matching
- Speed to hire

Why lawyers worry:

- Hidden proxies
- Overreliance on scores
- Weak human review
- Poor documentation
- Failure to follow governance
- Uneven vendor accountability

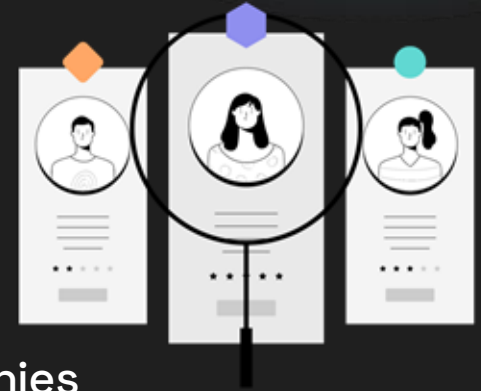
Thank You for Applying to BotFactory!

- BotFactory sells BotHats™ and BotShoes™.
- Business is booming, applications are flooding in, and somewhere along the way the company decided the best way to hire humans was... more bots.
- Hiring aggressively for remote engineering, IT, and security-support roles.
- Message from leadership: scale, speed, and fraud concerns are all high.



Sourcing/Screening/Ranking

- AI recruiting tool sources, scores, flags, and deprioritizes applicants
- Risk signals include:
 - résumé/employment inconsistencies
 - location or device/network anomalies
 - repeated or templated application content
 - multiple accounts or shared identifiers
 - VPN use, limited digital footprint, certain geographies
- Business goal: security + recruiter efficiency
- Workflow effect: flagged or lower-ranked applicants may receive delayed review, limited recruiter attention, or no review at all



Interviewing / Assessment

- **Screening stack includes:**
 - async video first rounds
 - AI summaries and candidate scoring
 - pre-interview identity checks
 - coding assessments with fraud flags
- **Company is considering adding:**
 - candidate scoring or ranking tied to interview content
 - matching answers to known fraud patterns
- **Additional expansion ideas:**
 - voice, facial, or behavioral analysis
 - enhanced review or exclusion of flagged applicants
- **Potential consequence:** flagged candidates may be routed to additional scrutiny, delayed, or screened out before a live interviewer exercises independent judgment



Selection / Adverse Outcomes

Hiring decisions rely on:

- Ranked candidate slates
- Fraud-risk alerts
- Assessment scores (e.g., high/medium/low)
- Advance/reject recommendations and automations
- Humans remain in the loop (for now)

Resulting concerns:

- Nominal human review
- Opaque decision paths
- Limited ability to explain why a candidate was screened out





BONUS: LIGHTNING ROUND

Ask us anything



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