Age of The Millennials
7 Tips for Screening An Emerging Generation

A Sterling Talent Solutions White Paper
It’s official. In the first quarter of 2015, Millennials topped Generation X to represent the largest share of the U.S. workforce. In fact, more than one third of American workers are Millennials, and they’re expected to make up half of the world’s workers by 2020. For employers, this means that attracting and hiring reliable, high-quality Millennial talent is crucial to future success. Here are seven best-practice tips to improve screening processes and minimize legal risk when conducting Millennial background checks.

**ONE**

**Use Caution When Screening Social Media**

Millennials are the social media generation. 87% of U.S. online adults between the ages of 18 and 29 use Facebook, followed by Instagram (53%), Twitter (37%) and Pinterest (34%). There’s nothing inherently wrong with checking out the social media accounts of Millennial candidates provided they are publicly visible accounts – but there is a risk, especially if you’re unaware of the legal issues involved.

Some information on social profiles cannot be legally considered in a hiring context, and access to such information could be grounds for discrimination claims. Information related to a candidate’s religious affiliation, national origin, sexual orientation, marital status or health condition is protected under state or federal anti-discrimination laws. This is true for all generations, but since Millennials are the most racially diverse generation in American history, there is an increased likelihood that employers will run into this protected class information when screening social media profiles. Even if an employer does not take this information into consideration, mere access to it can result in discrimination claims.

The use of social media searches is currently limited to a minority of employers. Only 5% of organizations conduct formal social media screening. Of those organizations, 63% report that they conduct screening in-house, 15% use a third party, and 8% use a combination of methods. As the labor pool fills with more and more Millennials, industry experts predict that social media screening will proliferate.

**BEST PRACTICE TIP:**

To protect your organization when conducting social media searches, you must be certain that your practices do not violate any laws – especially anti-discrimination and privacy law violations. The best way to achieve this level of certainty is to have social media searches performed by those who are familiar with the legal risks and know how to avoid them.

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TWO

Avoid Discriminatory Terms When Searching for Millennial Talent

Age discrimination might not seem like an issue when it comes to background screening of Millennials, but that’s not the case. As Facebook discovered, it’s possible to run into legal problems associated with age discrimination indirectly. In 2013, after coming under regulatory scrutiny for posting an employment ad that stated, “Class of 2007 or 2008 preferred,” Facebook agreed to a lawsuit settlement with California’s Fair Employment and Housing Department for stating favoritism of Millennials over groups protected by the Age Discrimination in Employment Act (ADEA) and similar state legislation.

Other companies—many in the tech industry—have posted similar ads, with “new grad” or “recent grad” in the title. The Equal Employment Opportunity Commission has made it clear that it doesn’t approve of the practice. “In our view, it’s illegal,” said Raymond Peeler, senior attorney advisor at the EEOC. “We think it deters older applicants from applying.”

Some companies have tried to get around this by using the term “digital native,” which is new code for a recent graduate. It’s popping up in ads where companies are looking for Millennials who were born and raised in the digital age. Legal experts agree that pre-screening for digital natives is simply an indirect form of age discrimination.

BEST PRACTICE TIP:

Instead of pre-screening for “new grads,” “recent grads,” or “digital natives,” identify the real job requirements for the position to protect your organization. To attract candidates who are more highly skilled in tech and comfortable in a digital environment, use those specific words in the job advertisement. Chances are, many people in their 20s and early 30s will meet those qualifications and submit their application. This process results in finding the right person for the job without putting your organization at legal risk.

THREE
Amend Screening Policies to Account for Non-Driving Candidates

Compared to other generations in the workforce, Millennials are less likely to have driver’s licenses\(^7\). As such, requiring a Motor Vehicle Record (MVR) may eliminate a number of prospective Millennial candidates.

This might not be a tremendous concern, but like all parts of a pre-employment background check, employers should ensure that the information used to evaluate candidates is relevant to the job at hand.

BEST PRACTICE TIP:
Ask yourself: If a candidate does not have a driver’s license for reasons other than legal ones, is it really a problem? While this is not a compliance issue, as requiring a driver’s license does not rise to the level of discrimination, it could limit your candidate pool and preclude qualified applicants from the position. Unless a candidate’s lack of a driver’s license is truly a deal-breaker for the position you’re hiring for, you may want to consider revising your screening policy to account for such instances.

FOUR
Account for Limited Credit History Among Millennials

Using credit history in pre-employment screening is a slippery slope in general, as many states prohibit the practice; however, that slope could be even slipperier when it comes to screening Millennials.

Employment Credit Reports are most commonly used by financial institutions and other organizations trying to fill positions involving fiduciary responsibilities. Millennials represent a challenge here, as they haven’t necessarily built up a history via traditional bank loans and credit cards compared to other generations. They tend to borrow less, which some experts think is related to their large amount of student loan debt\(^8\). These characteristics mean that Millennials are more likely to be “underbanked” (they have little credit history) or “unbanked” (they have no history).

BEST PRACTICE TIP:
When using Employment Credit Reports, don’t be shocked if you get less information for your Millennial applicants. Although little to no credit history may not help you evaluate an applicant’s financial responsibility, it shouldn’t be what comes between your organization and a great candidate.

FIVE
Expand Screening for Candidates with Limited Work History

Prospective employers may also have less to work with in terms of reference checking and verifications with Millennials. Why? First, a federal study found that Millennials are less likely to have worked during school, which means they are more likely to come out of college without a work history. Further, Millennials switch jobs frequently - 91% of Millennials don’t anticipate staying at a job for more than three years.

As a result, screening for job history, applied skills and experience might be more challenging than in the past. Employers might need to get more creative when it comes to evaluating and screening the work history of Millennials.

BEST PRACTICE TIP:
In situations where candidates have little work history, consider expanding the scope of inquiry to include volunteer experience or even personal references. Be cautious before implementing personal references and investigative reports though, as it may necessitate additional notices and further legal compliance under the Fair Credit Reporting Act.

SIX
Make Drug Screening Policy Review a High Priority

Millennials are much more accepting of marijuana use than previous generations, with 68% saying that the drug should be legal. Additionally, many states now permit medical marijuana use, and several have even gone as far as approving it for recreational use.

Despite some state legalization of marijuana and the increased acceptance of the substance by the Millennial generation, courts have ruled that employers have the right to drug-free workplaces. With this information in mind, employers may want to revisit their drug screening policies and practices.

BEST PRACTICE TIP:
While levels of marijuana use have only increased slightly, you may want to consider what this increased acceptance of marijuana use means for your screening practices. For example, if candidates have medical marijuana cards, would you permit positive tests or exempt them from testing? Or would you continue a comprehensive drug screening program? From a legal and employee relations perspective, what’s most important for protecting your organization is to enforce your policy consistently and fairly, no matter how strict or lenient it is.

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If you provide a positive candidate experience and make informed choices regarding the seven screening tips discussed in this article, you can be confident that your background screening program is as effective and compliant for Millennials as it is for the rest of your candidate population.

SEVEN
Don’t Ignore the Candidate Experience

In addition to these six screening issues, it’s also important to consider the quality of the candidate experience. While a simple, efficient candidate experience during the screening process is important for job seekers of all generations, Millennials are especially concerned about the “what” and “why” of things, which makes quality communication throughout the entire screening process especially important to them.

BEST PRACTICE TIP:
Before the screening process begins, explain the background process to candidates along with the hiring criteria. During the process, keep them informed of their progress, and give them an expectation of the timeframe. Additionally, make sure that any documents, such as screening authorization forms and adverse action letters in case of potential disqualification, are given to candidates promptly and are easy to understand.
About Us

Sterling Talent Solutions provides hiring peace of mind by delivering a simpler, smarter background screening and onboarding experience for employers worldwide. Our comprehensive suite of cloud-based background screening and onboarding solutions deliver accurate, reliable results and tools to maintain compliance throughout the hiring cycle.

With 18 offices in nine countries, our team of more than 3,500 employees proudly serves over 50,000 customers around the world, including 25% of the Fortune 100. Sterling Talent Solutions is accredited by the National Association of Professional Background Screeners (NAPBS), a distinction earned by fewer than 10% of all background screening companies. Visit www.sterlingtalentsolutions.com.

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