

A3855 • New Jersey

Creates standards for independent bias auditing of automated employment decision tools.

Introduced

Risk: Medium

Sector-Specific

Last Action (May 16, 2024): Reported from Assembly Comm. as a Substitute, 2nd Reading

Summary

Establishes standards for bias audits of automated employment decision tools in New Jersey, with specific requirements for audit frequency and candidate notification.

Business Impact

If you use AI in hiring in New Jersey, you must conduct annual bias audits or face restrictions on tool usage.

Key Provisions

- Independent bias audits required for AEDTs within a year of the previous audit.
- Public disclosure of audit results and data sources.
- Specific calculations for selection and scoring rates by demographic categories.
- Exclusion of categories with less than 2% data representation allowed.
- Notice to candidates about AEDT usage at least 10 business days before use and alternative selection processes.
- Use of test data for audits when historical data is insufficient.

Compliance Checklist

- Conduct independent bias audits of AEDTs. | Who: Employers and employment agencies using AEDTs. | Penalty: Prohibition of AEDT use.
- Publicly disclose audit results and data sources. | Who: Employers and employment agencies using AEDTs. | Penalty: Potential legal challenges.
- Provide notice to candidates about AEDT use. | Who: Employers and employment agencies using AEDTs. | Penalty: Potential legal challenges.

Industries Affected

Human Resources

Technology

Topics

AI in Employment

Bill Sponsors

Name	Party	Role
Balvir Singh	D	Sponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2024-05-16	Assembly Science, Innovation and Technology Commit	5	0	Passed

Related Bills

- S2964 (NJ)
- A1021 (NJ)

Official Source

https://pub.njleg.gov/Bills/2024/A4000/3855_I1.HTM

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