

A08328 • New York

Restricts the use by an employer or an employment agency of electronic monitoring or an automated employment decision tool to screen a candidate or employee for an employment decision unless such tool has been the subject of a bias audit within the last year and the results of such audit have been...

Introduced

Risk: High

Comprehensive

Last Action (Jan 10, 2024): enacting clause stricken

Summary

This bill mandates bias audits for automated employment tools and requires public disclosure of audit results, along with notifying candidates about the use of such tools.

Business Impact

If you use automated tools for hiring in New York, you must conduct annual bias audits and disclose results or face legal consequences.

Key Provisions

- Employers must conduct annual bias audits on automated employment decision tools.
- Results of bias audits must be made public.
- Candidates must be notified of the use of electronic monitoring or automated tools.

Compliance Checklist

- Conduct annual bias audits on automated employment decision tools | Who: Employers and employment agencies | Penalty: Legal consequences for non-compliance
- Make results of bias audits public | Who: Employers and employment agencies | Penalty: Legal consequences for non-compliance
- Notify candidates about the use of electronic monitoring or automated tools | Who: Employers and employment agencies | Penalty: Legal consequences for non-compliance

Industries Affected

Government

Employment

Technology

Recruitment

Human
Resources

Employment
Services

Topics

AI in Employment

Bill Sponsors

Name	Party	Role
WOERNER		Primary
PERRY		Primary
STERN		Primary
LEMONDES		Cosponsor
DESTEFANO		Cosponsor
BRABENEC		Cosponsor
OTIS		Cosponsor
Latoya Joyner		Primary
Eric Brown		Primary
Jake Ryan Blumencranz	Republican/Conservative	Cosponsor
David McDonough		Cosponsor
Stephen Hawley		Cosponsor

Related Bills

- A09315 (NY)
- S07623 (NY)
- A03779 (NY)

Official Source

<https://www.nysenate.gov/legislation/bills/2023/A8328>

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