The Next Big Thing: Recruiting With Snapchat

Insights
10.02.17

Forward-thinking businesses are using social media to further their recruiting efforts. They know that in order to communicate with Millennials, you have to speak their language. To that end, the latest social media platform to go public – Snapchat – provides what could be the perfect conduit for employers to reach this audience.

However, you must bear in mind the legal consequences of using social media platforms like Snapchat in your recruiting efforts. Don't let your efforts to increase your applicant pool and develop your brand get overshadowed by needless litigation.

What Is Snapchat, Anyway?
Snapchat is a photo messaging app that allows users to send content to other users, as well as post their "story" so that other users can view a compilation of content. But Snapchat is more than just photos and videos; users can use unique filters, add text, alter audio, and even add "Geofilters" and location tags to tell users where the photo or video was taken. It is unique from other social media platforms in that content typically remains viewable by others for only a set amount of time, from five seconds to 24 hours.

Snapchat is increasingly popular among Millennials. As of August 2017, 79 percent of those between the ages of 18 and 24, and 48 percent of those aged 25 to 34 use the app at least once a month. Snapchat has 173 million active users with over 3 billion snaps sent daily. Surpassing competitors, Snapchat stories are viewed 10 billion times a day, as opposed to Facebook with 8 billion.

A large number of companies, such as news agencies, those in the fashion industry, and other lifestyle companies push content through the story feature. Meanwhile, more popular outlets are listed in the "Featured" stories section and promote live events, breaking news, or entertainment content.

How Employers Can Use Snapchat
While still a relatively new concept, using Snapchat for recruiting employees has its benefits, many of which involve company-generated content shared through a series of videos as a promotional ad on the story feature. Employers commonly use Snapchat to their advantage in recruiting efforts by letting employees "take over" the company's Snapchat account to generate content, and by using Geofilters to target promotion of the company or brand.

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Giving Employees the Reins: Takeover Of An Employer's Account

A clever new way companies are showcasing their brand is through "employee takeovers." An employee is allowed to assume control of the company's Snapchat recruiting account, giving viewers access to career events, expos, and conferences. Employees might use the storytelling function to show a typical day-in-the-life, or post content directly on the company's Snapchat channel. This provides an inside look at the culture of the company, which applicants would otherwise not be privy to, and is a great way to make potential candidates feel involved.

But as with all positives, there are also concerns and drawbacks. It is important to be aware of the potential legal consequences of giving employees such freedom. You should take precautions and alert employees not to make any statements that could be construed as promises of employment, or any terms and conditions of employment. For example, saying "this is a great place to work" is often not a problem, but guaranteeing "all applicants will be hired" is a promise your employee cannot keep. Also, to maintain consistency and a positive company brand, you need to know exactly who has access to the company's account profile and make any necessary or precautionary changes to the account in advance of an employee takeover.

Promoting Like A Pro: Use Of Location Tags And Geofilters

Geofilters display text and graphics specific to a user's location; they may be purchased by individuals or companies to allow Snapchat users to enhance their experience while promoting and gaining awareness of the company's brand. Some companies use Geofilters to convince employees from other companies to join them by targeting areas where competitors are located. Although this tactic may seem like a fun, harmless recruiting method, it could pose employment concerns.

Companies must be aware of the potential risk of targeting certain areas that are void of people within certain protected classes. Such targeting could result in a disparate impact on the class of potential applicants that are led to your doorstep as a result of a Geofilter. As a reminder, disparate impact discrimination doesn't mean you intentionally discriminated against certain people; only that your actions led to a biased result.

One way to lessen the probability of disparate impact is to choose geolocations with a diverse population. Also, being able to show a demonstrable relationship between the job requirements and the recruiting methods is a valid defense to such a claim. For instance, if your company is looking for software engineers and you create a geolocation in Silicon Valley, there is a genuine relationship between the location and the position being offered. Further, if you are targeting employees of a specific company by precise use of Geofiltering, you may run the risk of violating restrictive covenants or raising employee defection concerns. You may want to consult with your employment counsel before proceeding down this path.

New Frontiers Not Always A Panacea

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Before the advent of social media hiring, employers typically had no knowledge of an applicant's race, gender, religion, or age. Employers who use social media in their recruiting efforts are now privy to a host of applicants' personal characteristics, which may be considered "TMI." Companies that hire using Snapchat are at risk of discrimination claims because they are more likely to learn that an applicant belongs to some protected category. If you reject a candidate or make an adverse decision after learning such information, proving that it did not influence your decision may be an uphill battle.

Address that risk by separating tasks. One person should be designated as the hiring decision-maker, while someone else is responsible for viewing the profiles to build a diverse applicant pool. An extra measure is to forgo viewing any social media profiles until you meet the candidate personally. To ensure recruiting consistency, conduct the same searches at the same point in the process for every applicant.

Remember to include the appropriate equal employment opportunity (EEO) and affirmative action taglines on your social media job posts. Additionally, job postings on social media must be retained like all other hiring documents as required by law. Preserve information that causes you to question the candidate's candor, professionalism, or judgment. If you use an outside company to perform background checks, remember to adhere to the requirements of the Fair Credit Reporting Act.

Another problem is that companies who recruit using Snapchat may expect their employees to be social media savvy, which could inherently discriminate against older, less tech-savvy employees. Also, those employees who cannot afford a smartphone capable of accessing Snapchat may be subject to discrimination. Avoid these problems by promoting social media workshops for your less technical employees and affording ready access to smartphones for work.

What Do You Do Now That You're A Snapchat Expert?

With this new social media platform comes several advantages for employers. But, as with all good things, it can raise unique issues and pitfalls. It is always a good practice for employers who are considering using Snapchat for recruiting or promotion to end any campaign with an avenue for engaging potential candidates and employees. Feature a link to your website for candidates or give them dates of upcoming networking events hosted by your company. For current employees, ensure that they have access or feel included in the campaign, perhaps through an employee takeover.

Social media in recruiting is a fairly new phenomenon that seems like it is here to stay. The ever-changing communication landscape, however, will require you to diligently monitor the trends so you can update your company policies and practices to ensure they are current.

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