

Philadelphia Partner Weighs In on Automated Hiring Bias Laws

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In an interview with *Legal Dive*, **David Walton** talks about New York City's new automated hiring bias law and offers advice on how employers should approach this emerging, yet still very gray legal area.

New York City's law will require firms to conduct regular bias audit of their automation systems and give applicants an opportunity to opt out. What that opt-out mechanism looks like is just one example of the law's confusion, David explains. Also unclear is what a bias audit might look like, especially as algorithms are still very "complicated."

David recommends that firms conduct these first audits with their counsel to keep any results protected by attorney-client privilege.

"Who knows what the audit is going to say?" he said. "What happens if some algorithm you're using has a potentially illegal bias? That's not a guarantee you won't be subject to a lawsuit, but it can help you increase protections from a risk management standpoint."

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