Can you review again what interviewer notes are required to be saved?  All interviewers notes or is a roll up of notes electronically stored sufficient?

* It is recommended that you keep as interview notes the questions that were asked in the interview and responses.  Also, if something that was said during the interview or a certain behavior occurred that would influence your decision on whether or not to hire the person, keep those notes.  For example, if the applicant was not able to answer questions utilizing correct grammar this would be pertinent to the job if you are hiring someone to work at a call center talking to customers all day.

We just switched ATS systems and are doing away with paper records. What's the best practice to ensure we keep accurate records?

* With respect to utilizing an Applicant Tracking System, you want to ensure that information that is entered into the application by the applicant is stored and retrievable.  Also, you want to ensure that you are capturing answers asked regarding race, gender, veteran status and disability status (the last two are only required for federal contractors covered by VEVRAA and Section 503 of the Rehabilitation Act).  For most employers, the retention period for these records is two years.  You also want to be able to track the steps that the applicant made it through and the final disposition and reason for not being selected if the person was not hired.  If you are using a data management technique to narrow down candidates being considered, make sure you are able to retain the information covered during the presentation and listed on the handouts.

What if your recruiter sourced the applicant and added them to the req before talking to them?

* Regardless of the order of the activities and interaction with applicant, they still need to meet the four prongs of the internet applicant rule in order to be considered an applicant.  1) The person has to express interest in a particular job in an electronic means.  2) The person has to be considered for the job which means you are actually reviewing the application and comparing it to the basic requirements of a specific job.  3) The person has to meet the basic qualifications of the job.  4) And the person must not withdraw (actively or passively) from consideration prior to a job offer being made. The OFCCP has a great resource on the following website that addresses common questions regarding the internet applicant rule:  <https://www.dol.gov/ofccp/regs/compliance/faqs/iappfaqs.htm>

The internet applicant rule appears to be contradictory to the requirement to maintain records on external database searches. Why would an employer be required to maintain those external database records IF the contact with individuals requires applying?

* One possible explanation is that there have been studies to indicate that companies discriminate when it comes to deciding who to consider for a job due to biases, stereotypes, or racism.  By simply looking at a person’s name, where they attended college, what organizations they belonged to, one can make certain assumptions of race, gender, religion, and other characteristics.

As a Sourcing Specialist, I encounter a lot of passive candidates. Is storing passive candidate information in an ATS compliant, as they may or may not be interested in a specific position. If not, what information should be recorded to be compliant?

* Many organizations utilize a “contact management” system/process to collect a “talent community.”  These recruiters would then communicate to those in the system the process for applying for any job openings if they are interested in pursuing being considered for a specific job opening.   In order to be considered an internet applicant must: 1) The person has to express interest in a particular job in an electronic means.  2) The person has to be considered for the job which means you are actually reviewing the application and comparing it to the basic requirements of a specific job.  3) The person has to meet the basic qualifications of the job.  4) And the person must not withdraw (actively or passively) from consideration prior to a job offer being made. You want to make sure, however, that everyone at the organization follows the same rules of what the organization considers to be an applicant.  All it takes is one recruiter or manager considering candidates as applicants in a way contrary to the company’s policies in order for the company’s definition of applicant to be voided.  The OFCCP has a great resource on the following website that addresses common questions regarding the internet applicant rule:  <https://www.dol.gov/ofccp/regs/compliance/faqs/iappfaqs.htm>