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## **Big Brother Wants Your Facebook Password**

By [Claire Suddath](#) on March 27, 2012

If you want to become a state trooper in Virginia, you should probably delete any indelicate information you have on Facebook. During the job interview process, the Virginia State Police requires all applicants to sign into Facebook, Twitter, and any social-networking site to which they regularly post information in front of an administrator.

“You sign a waiver, then there’s a laptop and you go to these sites and your interviewer reviews your information,” says Corinne Geller, spokeswoman for the Virginia State Police. “It’s a virtual character check as much as the rest of the process is a physical background check.” Geller says the practice has been around for only three months and is just one of many ways the state makes sure its law enforcement officials are ethically sound. (Potential troopers also have to submit to a polygraph test).

Virginia is not the only state to do this; other police departments and government entities have similar policies. Until recently, the city of Bozeman, Mont., and the Maryland Division of Correction both asked job applicants to hand over their passwords. Each has discontinued the practice—in Maryland’s case it was after a prison security guard named Robert Collins contacted the American Civil Liberties Union (ACLU) and complained. Now they go for the over-the-shoulder approach that Virginia favors. University of North Carolina at Chapel Hill has a unique method: It requires all student athletes to friend a designated coach or administrative official on Facebook so that he or she can monitor their pages.

According to the ACLU, the number of employers who request access to applicants’ Facebook profiles has risen over the past year. Accessing such private information puts employers in a legal gray area and may potentially open them up to both privacy and discrimination lawsuits.

“This practice is so new that until recently, many people weren’t even aware that this was happening,” says Catherine Crump, staff attorney with the ACLU. Crump says that—while the ACLU has noted Facebook screening in both private and public sector jobs—“when the government is the employer, people have the constitutional right not to be subjected to unreasonable searches.” In other words, if you’re applying for a government job and your potential employer asks you to give up your social-media passwords, they might be violating your Fourth Amendment rights. “People should be entitled to their private lives,” she says.

Facebook calls this profile-access practice “distressing” and has recently amended its Statement of Rights and Responsibility (the legal terms to which you agree every time you access the site) to make it against company policy to share or solicit your account password. “We don’t think employers should be asking prospective employees to provide their passwords because we don’t think it’s the right thing to do,” said Erin Egan, Facebook’s chief privacy officer, in a recent [blog post](#). Egan was unavailable for an interview, but a company spokesperson says that when people apply to work at Facebook, the social-networking site doesn’t look at

their private information during the hiring process. Facebook currently has no plans to take legal action against any companies that ask for passwords, but it looks forward to “engaging with policy makers” to protect against the practice in the future.

Having to share a Facebook password is understandably distressing for people seeking jobs, but Crump says it could harm employers, too. When companies scroll through Facebook profiles, they may happen upon information they don’t want to know. “In job interviews, there are certain questions that employers know not to ask,” she says, such as if a person has children. “You’re not allowed to discriminate based on familial status,” but once you start trolling through someone’s life on Facebook, you’re going to stumble on that information,” she says. If the company doesn’t hire that person, it may open itself up to allegations of discrimination.

Bill Pepler, managing partner of the national staffing and recruiting company Kavaliro, says people should assume that their potential employers will look at their Facebook and Twitter pages. Kavaliro works with a number of national and international corporations such as Con Edison ([ED](#)), Verizon Wireless, and Starwood ([HOT](#)); while the company doesn’t ask for applicants’ passwords, it reviews as much publicly available information as it can find on Facebook.

Pepler tells one story about a person who was rejected for a position because of compromising photos posted to Facebook. “We’re not talking about undergraduate spring-break photos that are 10 years old. We’re talking about copious amounts of alcohol, where in every single picture the person had a cocktail or beer in hand. The company saw that and said, ‘You know, we’re going to move on from this candidate.’”

Surprisingly, this person was not an inexperienced college student or recent grad. “The millennial generation is much more used to it, they can use privacy settings,” he says. Instead, it’s people in their mid-30s or who “have been working for three to five years that seem to be the ones who are slipping up.”

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