Employers Asking For Facebook Passwords

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by Emily Luxen

NASHVILLE, Tenn.- As part of the interview process, some companies are asking job candidates to provide their Facebook credentials, and it is sparking a debate across the country.

Nashville attorney David Raybin said the law has no clear cut answer on this topic, but he believes it would constitute an invasion of privacy and violate federal equal opportunity laws.

"If I get in your Facebook, I could find out your country of national origin, how many children you want to have, your religious preferences, etc.," said David Raybin, "Those kind of things are private and prohibited lines of inquiry from a prospective employer."

Raybin said job applicants should still be cautious, because employers do have the right to view any public profile they have on the Internet, and do a basic search on any candidate.

"Generally speaking, what you put on Facebook is out there for the public to see," said Raybin, "It is like putting up a billboard."

Raybin said there is no legal precedent set in Tennessee, but he expects it is only a matter of time.

"I think employers are asking their attorneys 'can we go there?' I think that a prudent answer from an attorney would 'be don't go there.'"