

- The individual's expression of interest indicates that the individual possesses the basic qualifications for the position.
- At no point in the employer's selection process prior to receiving an offer of employment from the employer does the individual remove himself or herself from further consideration or otherwise indicate that he or she is no longer interested in the position.

"Internet or related electronic data technologies" includes electronic mail/e-mail, résumé databases, job banks, electronic scanning technology, applicant tracking system/applicant service providers, applicant screeners, and résumé submission by fax. Mobile and hand-held devices such as cell and smart phones are also likely included. "Basic qualifications for the position" are those established in advance and advertised to potential applicants. They must be non-comparative across applicants, objective (e.g., BS in biology), and relevant to performance in the specific position.

The employer must keep records of the following:

- All expressions of interest submitted through the Internet and contacts made with the job applicant
- Internal résumé databases—including date of entry, the position for which each search was made, the date of the search, and the search criteria used
- External résumé databases—position for which each search was made, the date of the search, search criteria used, and the records for each person who met the basic qualifications for the position

The OFCCP regulations also require the employer to make every reasonable effort to gather race/gender/ethnicity data from both traditional and Internet applicants. The preferred method for doing so is voluntary self-disclosure, such as through tear-off sheets on an application form, postcards, or short forms to request the information or as part of an initial telephone screen. Observation may also be used. A series of questions and answers to the regulations provide additional information and clarification. Notable issues covered in this section include searching large databases, searching niche and diversity databases, and using employment agencies and recruitment firms, campus recruitment, job fairs, and applicants' noninterest in and self-removal from consideration for the position. The employer must keep records relating to adverse impact calculations for Internet applicants and for all test takers.

### Affirmative Action Programs

As discussed in Chapter 2, AAP regulations from the OFCCP require that the organization identify problem areas impeding EEO and undertake action-oriented programs to correct these problem areas and achieve the placement (hiring and promotion) goals. The regulations say little else specifically about recruitment

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