Chapter 4
AI Discrimination in Hiring

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ABSTRACT

By corporations applying the ethical framework of Rawls justice and fairness and critical race theory (CRT) to artificial intelligence (AI) for hiring, employers can help to ensure that AI systems are used in a fair and just manner and that the rights of workers are protected. AI has become an integral part of modern hiring processes, promising efficiency, objectivity, and data-driven decision-making. However, concerns regarding AI discrimination in hiring have emerged as a critical ethical and societal issue. This chapter delves into the complex dynamics of AI-driven hiring discrimination, exploring its root causes, consequences, and potential solutions. The chapter further provides a comprehensive analysis of AI discrimination in hiring and a best practice rooted in CRT and the ethical framework of Rawls justice and fairness.

INTRODUCTION

AI, particularly machine learning (ML) algorithms, has transformed how businesses conduct recruitment and hiring processes (Liu et al., 2023). The use of AI-powered systems has promised increased efficiency, objectivity, and predicted accuracy in the evaluation of job candidates (Liu et al., 2023). AI-enabled platforms possess the capacity to optimize the recruiting process, evaluate extensive collections of applicant data, and facilitate data-informed hiring determinations. However, the fast adoption of AI in hiring processes has generated concerns about its potential for discrimination, perpetuating biases in historical data, and unwittingly disadvantageous certain groups (Lewis, 2023).

AI, despite its intended purpose of augmenting decision-making processes, has the potential to inadvertently adopt and perpetuate biases that are deeply rooted in historical facts and society conventions (Prescott, 2023). The emergence of this issue has prompted a significant discussion regarding the concepts of fairness, equity, and ethics within the realm of work (Prescott, 2023). The utilization of AI by businesses for candidate selection has grown significantly. However, there is a pressing societal

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concern regarding the possibility of AI deliberately or unwittingly engaging in discriminatory practices based on protected traits such as race, gender, age, or handicap (Buolamwini, 2023).

This paper examines the complex problem of discrimination in hiring processes caused by AI. It looks at the ethical framework of Rawls justice and fairness application. It investigates the root causes of this issue by exploring the origins, consequences, and potential mitigation techniques rooted in Critical Race Theory (CRT). CRT and John Rawls' framework of justice and fairness share similarities and align with social justice both focusing on equity, fairness, injustice, and discrimination (Lynn & Dixson, 2013). There are significant impacts it can have on individuals and society, and ethical concerns need to be resolved to achieve a harmonious relationship between technological advancement and fair employment practices (Chen, 2023). There is a critical analysis of the convergence of AI and the hiring process. This paper aims to provide a comprehensive analysis of AI discrimination in hiring and a best practice rooted in CRT and the ethical framework of Rawls justice and fairness.

PROBLEM STATEMENT

The integration of AI into the hiring processes of organizations presents concerns. A major concern is the potential for AI-driven discrimination in hiring decisions (Lewis, 2023). Despite the promises of objectivity and efficiency, AI systems may inadvertently perpetuate historical biases, reinforce stereotypes, and result in unfair and discriminatory outcomes for job candidates (Hunkenschroer & Kriebitz, 2023). This problem presents a serious moral, legal, and social dilemma that needs to be addressed.

SIGNIFICANCE OF THE PAPER

The study on AI discrimination in hiring is significant because it highlights the potential risk of using AI in hiring (Pessach & Shmueli, 2021). The research conducted on the issue of AI bias in the context of employment selection holds considerable importance as it sheds light on a plausible hazard associated with the utilization of AI technology in the recruiting process (Hunkenschroer & Kriebitz, 2023). AI systems, similar to human beings, possess the potential for discrimination, which may result in discriminatory treatment towards specific demographic groups (SHRM, 2021).

The information from the paper may also be helpful to organizations in order to mitigate discrimination in AI (Lewis, 2023). There are several mechanisms through which AI systems can exhibit bias. One potential issue with ML systems is the presence of bias in the training data or decision-making algorithms (Kerasidou, 2021; Prescott, 2023). Furthermore, it is important to acknowledge that the individuals responsible for the design and implementation of AI systems may own unconscious biases, which can potentially manifest inside the system itself. The following paragraph discusses methodology.

RESEARCH METHODOLOGY

Research methodology for qualitative research is the approach to data collection, analysis, and report writing and is the overall strategy or approach used by researchers to conduct research (Creswell, 2002, 2012). The chosen study methodology employed a literature review approach as its primary aim. The