

Artificial Intelligence (AI)

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

Artificial Intelligence (AI) is rapidly transforming the workplace—including how hiring, promotions, evaluations and terminations are handled. While AI tools can improve efficiency and reduce bias when properly used, they also raise critical legal and ethical questions about transparency, discrimination, and fairness.

Common applications of AI include:

- Resume screening & candidate ranking
- Chatbots for applicant communications
- Video interview analysis (e.g., facial expressions, voice tone)
- Performance monitoring (e.g., productivity analytics)
- Predictive modeling for retention or promotion decisions

These tools may use algorithms trained on historical data, which—without proper review and oversight—can reinforce historical bias or produce opaque results.

Even when decisions are made by software, employers can be held liable for violations of federal and state anti-discrimination laws, including but not limited to:

- Title VII of the Civil Rights Act
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA)
- New Jersey Law Against Discrimination (LAD)

If an AI tool disproportionately impacts protected groups (e.g., by race, gender, age), it may constitute unlawful disparate impact discrimination, even if the bias is unintentional.

Several jurisdictions have proposed or enacted laws regulating AI in employment:

- New York City: Requires audits and notices for automated employment decision tools (AEDTs)
- New Jersey: Introduced bills requiring algorithmic transparency in employment

If you believe AI impacted your employment unfairly:

- Request explanation of how your application was evaluated
- Ask for a human review of any automated decision
- Document any suspected bias or discrimination

If you believe your rights were violated by artificial intelligence, the employment attorneys at Wilentz, Goldman & Spitzer P.A. are here to help. Our experienced team can review your case, explain your legal options, and fight for the fair treatment you deserve. **Contact us today for a confidential consultation.**

To speak with an attorney about your legal options, please call: 732-352-9858.