



Social Media and ADA

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Employers are increasingly using social media as a way to screen and learn more information about potential job candidates. Absent a social media hiring policy and a qualified screener, this is problematic because the employer may view protected information such as what disabilities individuals or their family members may have. Once the employer sees this information there is no way to undo this. This information is protected, and not job related, it is information that should not be used during the application process. If an adverse employment decision is made, individuals may claim it was due to the employer seeing their disability status. Having a qualified third party, or a non-hiring authority screen social media avenues would prevent this protected information from being passed on to hiring authorities or to those in decision making positions and greatly reduce the employers liability.

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