

# HOW TO USE EASY APPLY AND BE EEO COMPLIANT

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## 5 Ways to use Easy Apply and ensure you are EEO Compliant

Unemployment is near an all-time low and the number of open roles at an all-time high. In addition, according to Appcast, conversion rates (the number of clicks to get an application) are going down, while click prices (CPCs) are going up. The combination is driving the cost per application (CPA) up. Said differently, the price of candidates is going up, exponentially, and therefore, so is the cost to hire.

While Easy Applies (Indeed Apply, ZipApply, etc.) are tempting with their promises of volumes of candidates - there is the harsh reality that most companies are subject to EEO regulations, and the equally harsh reality that Easy Applies are not considered, by the EEOC, to be applications. The required disclosures have not been presented and responded to. And without the full application, those candidates aren't candidates at all - and recruiters shouldn't contact those leads until they have gone through the proper application processes.

In 2016, for companies that fall under Title VII, the ADA or GINA, the penalties for EEO violations more than doubled up to \$525 per violation. When considering how many applicants were processed last year, most companies can't afford to make this mistake. For example, let's say a company gets 10,000 Easy Applies (500 roles X 20 applies per role), that recruiters interact with, that's potentially a \$5,250,000 fine. Few companies have an extra \$5 Million in the budget for these kinds of violations.

Below, you will find 6 Methods used to implement Easy Apply and a breakdown of risks and rewards for each method (one of them is a recipe for compliance failure). In addition, we've outlined a few key terms that are important to help understand how to consider each option.

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# GLOSSARY

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**APPLICANT:** Per the EEOC, an applicant is a person who has indicated an interest and followed the employer's standard procedures for submitting an application to a job an employer has acted to fill. It is generally accepted that means all interested persons must, at minimum, be presented with the EEO voluntary disclosures as part of the standard procedure.

**ATS APPLICATION:** All data elements captured via the web portal provided by the company's ATS. This includes profile data, knock-out and job questions, application forms, terms & conditions, privacy policies, text and other disclosures and consents.

**ATS APPLY PROCESS:** Candidates are redirected from a job site to career site to apply via the ATS Application, including creating an account and/or login.

**ATS FATIGUE:** The state resulting from candidates becoming burnt out and abandoning the ATS Apply Process at the moment the ATS start page is presented because of time consuming and repetitive requirements for account and login creation across many companies and ATS platforms.

**EASY APPLY:** Method whereby candidates can apply to a job via a webform on a job site. Typically, a basic profile and masked email address is provided.

**ENHANCED INTEGRATED EASY APPLY:** Integrating the ATS Application components into an Easy Apply experience on a job site and integrating the full answers to all ATS Application questions back into the ATS.

**FULL APPLICATION:** See ATS Application.

**LEAD:** A person who has indicated interest in a open position, but who has not yet completed a Full Application. Per EEO, a lead cannot be considered an applicant.

**TEXT CONSENT:** Process where a person explicitly provides permission to a company to receive automated SMS communications. See [FCC](#) and [TCPA](#) for full guidelines.

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# METHOD 1

## REDIRECT JOB BOARD APPLICANTS TO YOUR ATS APPLY PROCESS AND INCREASE YOUR BUDGET

This method is what most companies do today and while this keeps the company compliant, it also severely limits the number of applicants available to recruiters for the budget spent. Candidates struggle with the ATS load time, the selection of multiple apply buttons, the application process itself, login screens, and ease of the application on a mobile device. In addition, since job sites can't see what happens to candidates when they go to a career site, jobs sites will limit the number of times a company's job is shown to candidates.

### PRO:

- 100% EEO compliant
- Works with programmatic
- Highest quality candidates
- Delivered to the job in the ATS
- Captures text consent and T&Cs
- Connects to multiple job sites

### CON:

- Lowest amount of candidate traffic
- Can't dramatically increase the number of candidates
- Limited access to candidates on mobile devices
- Candidates experience ATS fatigue
- Login requirements

### Change Your Outcomes:

- Spend more to drive more candidates to your website.
- Reduce your application questionnaire to only minimal information including personal data, EEO and other legal requirements.

### Ensure EEO Compliance:

- This method is inherently compliant.



- Low Volume
- High Quality
- Compliant

# METHOD 2

## 3RD PARTY ENHANCED INTEGRATED EASY APPLIES

Integrating your ATS to Easy Applies but with complete applications can allow you to get the benefits of the Easy Apply (volume, mobile-first, etc.), but emulate your ATS application questions, profile, compliance, consent and job-level questions. Some ATS's offer this directly (see method 3), where other ATS's offer 3rd party integrations, such as JobSync.

### PRO:

- 100% EEO compliant
- 2X+ more volume
- 50% lower cost per application
- Highest quality candidates
- Access to candidates on mobile devices
- Delivered to the job in the ATS
- Works with programmatic
- Captures text consent and T&Cs
- Can adjust to business rules
- Connects to multiple job sites

### CON:

- Not all ATSs allow for integration
- Some ATSs allow only partial integrations, or have integration limitations

### Change Your Outcomes:

- This solution currently produces the greatest apply rates; increasing your budget can help.
- Connecting an enhanced Integrated Easy Apply to interview scheduling dramatically changes the percentages of candidates who go from click to interview.

### Ensure EEO Compliance:

- This method is inherently compliant.



- High Volume
- High Quality
- Compliant

# METHOD 3

## ATS BUILT ENHANCED INTEGRATED EASY APPLIES

Some ATSs have already built an Integrated Enhanced Easy Apply that emulates your ATS application questions, profile, compliance and job-level questions. For most, this solution is available for one, perhaps two job sites, and relies on a direct connection of the ATS and the job site, with no other vendors in between.

### PRO:

- 100% EEO Compliant
- 2X+ more volume
- 50% lower cost per application
- Highest quality candidates
- Access to candidates on mobile devices
- Delivered to the job in the ATS
- Captures text consent and T&Cs

### CON:

- No programmatic
- Text/interview scheduling vendor must be fully integrated to the ATS to be utilized
- Cannot customize to business rules or needs
- Often only one job site

### Change Your Outcomes:

- This solution currently produces the greatest apply rates; increasing your budget can help.
- Changing to a third-party integration allows you to add on other key technology such as a programmatic and business rules.

### Ensure EEO Compliance:

- This method is inherently compliant.



- High Volume
- High Quality
- Compliant

# METHOD 4

## EASY APPLY TO A FRUSTRATION-FREE HOSTED APPLICATION (OR TO A CHATBOT/TEXT MESSAGE)

By connecting Easy Applies to a system that immediately emails your candidate and directs them to a hosted application page where they can finish (not start from scratch) the application without a forced login creation, companies can significantly increase the percentage of leads to completed applications. The candidates will still have to see and interact with an email or, if text message consent has been garnered, with the text message to the application.

### PRO:

- Can be 100% compliant
- Works with programmatic
- No forced logins
- No ATS fatigue

### CON:

- Marginal increase in the number of candidates
- The completed application rate is higher than the classic redirect, but not best-in-class
- Must use another medium to reengage
- If recruiters have access to the partial applications, this could be a violation

#### Change Your Outcomes:

- Spend more to drive more candidates to your hosted application.
- Reduce your hosted application questionnaire to only minimal information including personal data, EEO and other legal requirements.

#### Ensure EEO Compliance:

- This method is compliant, provided recruiters do not have access to incomplete applications.



- Medium Volume
- High Quality
- Compliant - as long as there is no access to the partial applications

# METHOD 5

## SIMPLE INTEGRATED EASY APPLIES + STRUCTURED FOLLOW-UP

Some ATS's have integrated the standard Easy Applies directly into the ATS itself. The difference is that instead of the Easy Apply going to an email address or the dashboard, it goes directly into the system of record. Depending on the ATS, the Easy Apply could be directed against the job (eek!) or in a holding area that requires recruiters to manually process the lead. Once the lead is available to the recruiter – discipline and consistency is essential. Manual processing impairs speed and lends to skipping steps, opening your organization to violations.

### PRO:

- The lead is in the ATS
- Depending on the nature of the integration, able to create an automation to trigger and ask the candidate to complete the full application

### CON:

- No applications, leads must be contacted to be complete
- No programmatic
- Some job sites provide masked emails
- Leads that are posted against the job need to be tracked separately from actual applications
- Cannot get text consent

### Change Your Outcomes:

- Immediate email automation to the leads to convert as many into applicants as is possible.

### Ensure EEO Compliance:

- You must have a follow-up process that your team is 100% consistent with, generally an email to the leads urging application completion.



- Less Volume
- Tempting to recruiters
- Confusing if leads are placed against the job
- Compliant if process is followed

# VIOLATION OPTION!

## USE EASY APPLY TO CREATE 'LEADS'

This is what a lot of the job sites are driving towards. Use the Easy Apply functionality to send leads to either a recruiter's inbox or into a dashboard for recruiters to access. And then what...the lead looks promising, the phone number is there, the email is available. The temptation to begin recruiting at this point is high. However, if the company reaches out for any reason other than to request that the lead complete the rest of the application, they are getting into possible violation territory.

### PRO:

- So many leads
- Lowest cost per application
- Access to candidates on mobile devices
- Works with programmatic

### CON:

- Leads must be contacted and directed to complete the full application
- Small percentage of leads will reenter information to complete the application
- Potentially masked email addresses
- Cannot get text consent
- Leads are not in the ATS but rather in inboxes and/or dashboards
- Not compliant

### Change Your Outcomes:

- Automate an email response directing the candidate to complete the full application.
- Centralize all applications to one person, or small team, who can process the leads quickly with follow-up emails or phone calls.

### Ensure EEO Compliance:

- You must have a follow-up process that the team follows consistently.



- High Volume Leads
- Low Volume Applicants
- Opportunities for failure
- Not in the ATS
- Not Compliant



## ABOUT JOBSYNC

JobSync empowers Talent Acquisition professionals to get 200%+ more quality candidates from their existing sourcing solutions with its Talent Acquisition Automation Platform (TAAP). JobSync's platform emulates the ATS application natively within job sites' Easy or Quick Applies and provides seamless integrations between job sites, ATSs, and other systems used by Talent Acquisition professionals with customized automations, filters, and advanced rules.

To learn more about how JobSync can help generate more quality candidates and improve the efficiency of your Talent Acquisition team visit [www.jobsync.com](http://www.jobsync.com).