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Hiring & Termination in the Age of AI: Risks, Compliance & Best Practices

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Meet Your Presenters

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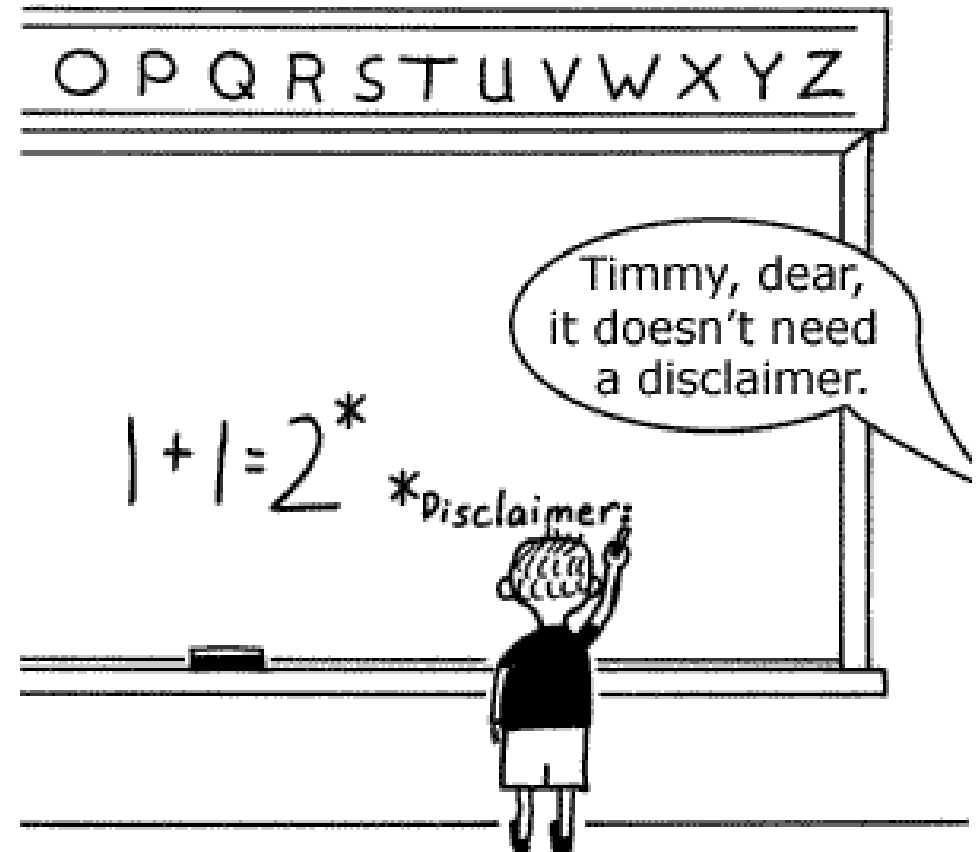
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We recognize that Indigenous Peoples lived and thrived here long before the arrival of settlers, and we acknowledge the lasting impacts of colonialism. As part of our commitment to truth and reconciliation, we strive to learn, unlearn, and understand the history and effects of these wrongs.

We are grateful to live and work on this land.

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Timmy
doesn't need
a disclaimer
but we do...



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Presentation Roadmap

- AI and the Future of Work
- Bias & Discrimination Risks
- Legal Compliance: Disclosure & Equity
- AI and Terminations
- Human Rights & the "Black Box" Problem
- Best Practices & The Golden Rule

AI and the Future of Work

FUTURE LOADING



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AI and the Future of Work

How AI is transforming hiring

How to address human rights
and fairness concerns

Opportunities for AI
- increasing diversity

Legislative requirements

Most Job Seekers Are Using AI

Cover letters (20%)

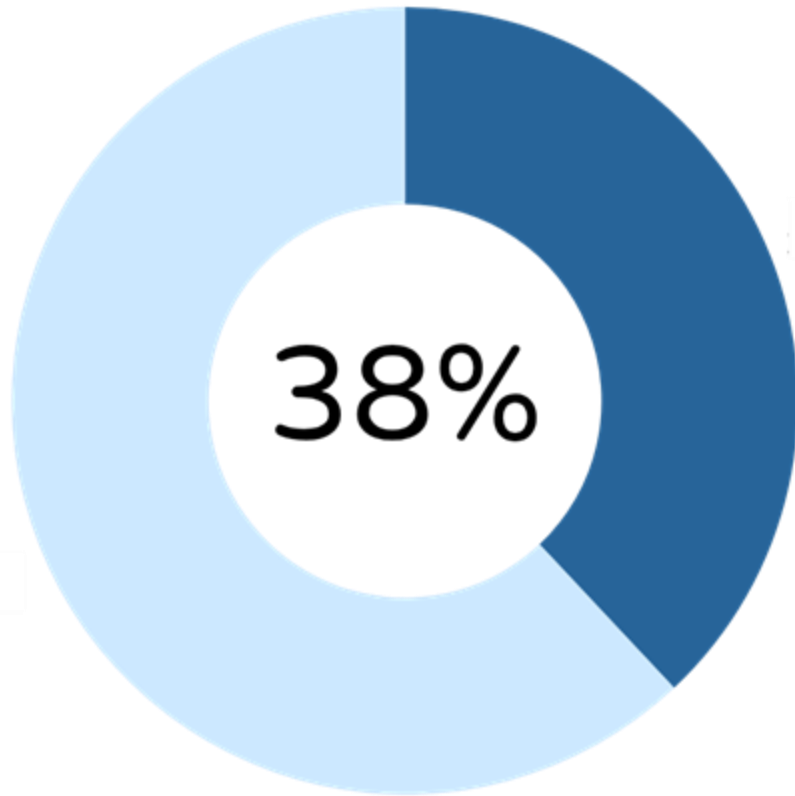
Write resumes (19%)

Practice interviews,
generate headshots

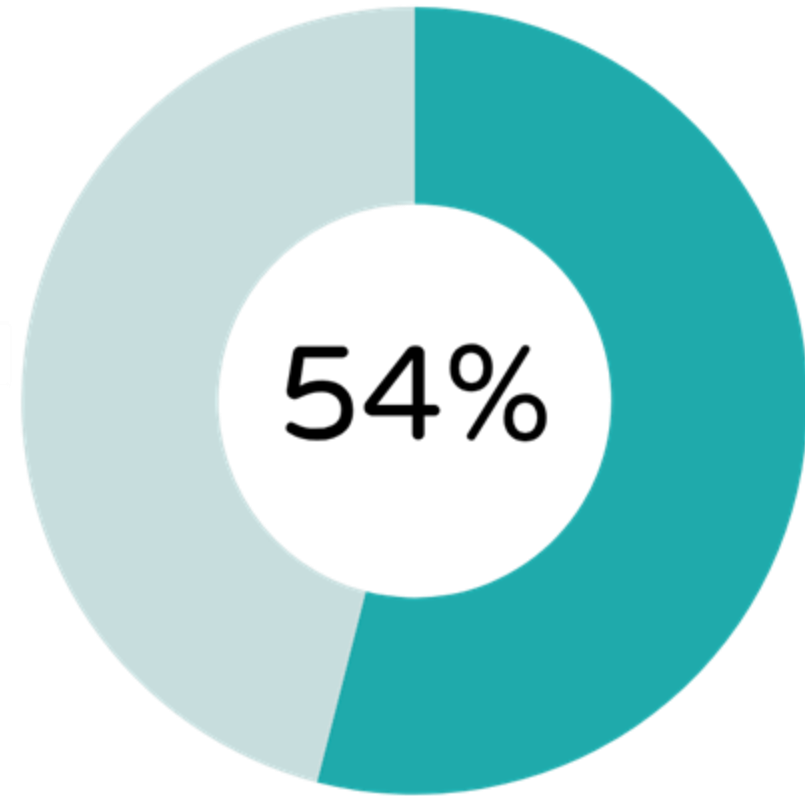
Only 35% haven't used AI at all

(Career Group Companies, 2025)

Too Many Applications?



Of candidates send 20+ apps a week



Say it's slowing down hiring

(Robert Walters, 2024)

Hiring Managers Are Taking Notice

53%

Of hiring managers dislike
AI-generated resumes.

AI content was the:



#1 red flag



(Resume Genius, 2024)

AI can streamline the application process



Filtering resumes



Ranking candidates



Tracking progress

Bias & Discrimination Risks



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Bias in AI: A Real Risk

Amazon once built a tool that downranked women

AI can reflect human bias and automate it

Garbage In, Garbage Out



Bias in AI: A Real Risk

AI can automate discrimination if not mitigated

Need to figure out what you're using AI for

Need humans in the loop



No Canadian case yet, there is legal trouble brewing in the U.S. over AI discrimination allegations

Mitigating Bias in AI Hiring



Ask vendors how they address equity



Avoid “black box” tools



Do regular audits



Ask candidates for feedback



Diversify decision-makers



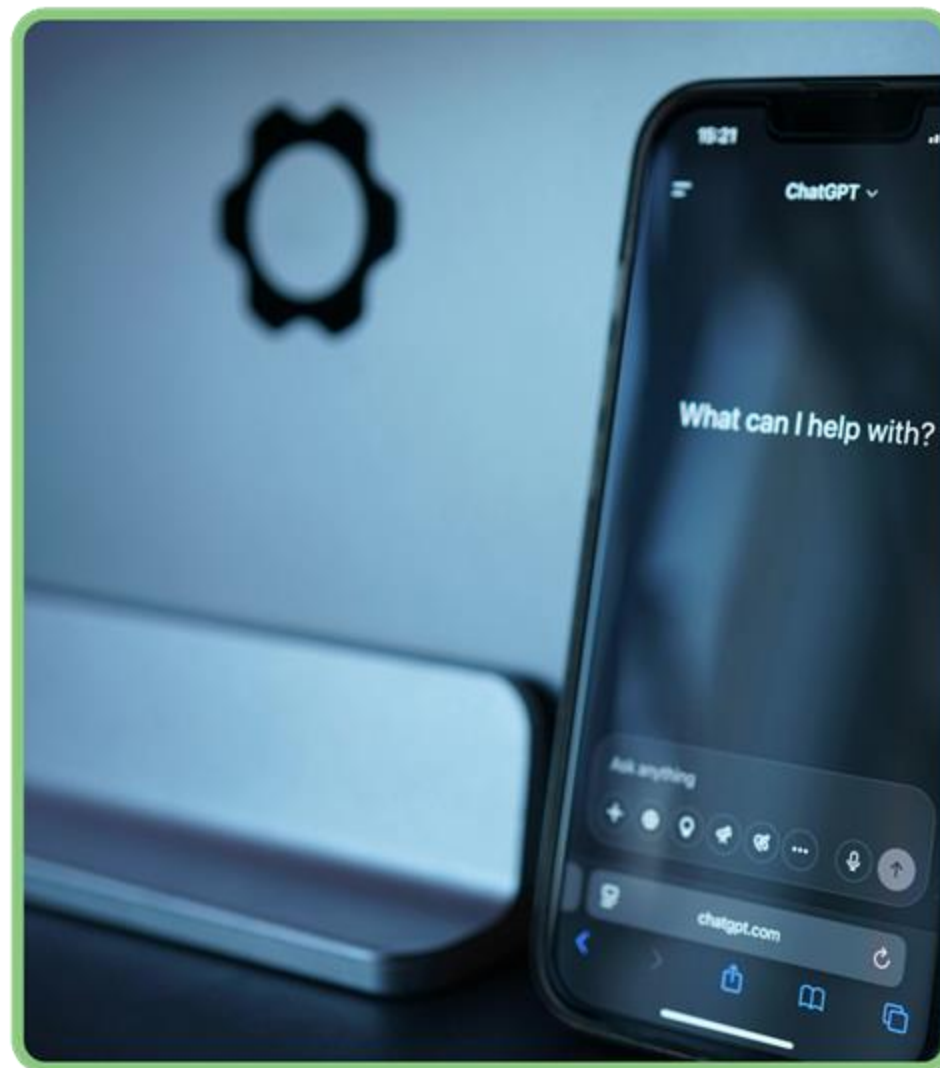
Legal Compliance: Disclosure & Equity



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Working for Workers Four Act (2025)

- ➡ Must disclose if AI is used in hiring decisions as of Jan 1, 2026.
- ➡ Some exceptions
- ➡ AI defined as “a machine-based system that, for explicit or implicit objectives, infers from the input it receives in order to generate outputs such as predictions, content, recommendations or decisions that can influence physical or virtual environments.”



Use AI to Boost Equity



Use tools like Gender Decoder and Textio to improve job ads



Cisco attracted 10% more women using AI in 2018



You can even use ChatGPT to reduce jargon & bias



Important considerations

1

Is the algorithm fairness-aware?

2

What kind of diversity?

3

Is the AI diversity-focused?

4

Does the AI company provide training?

5

Who will be making the final decisions?

AI and Terminations



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AI and Terminations



Performance analytics

Workforce selection

Termination support

The legal stakes rise sharply once AI moves beyond hiring.

Why Terminations Are Different

The stakes are higher

HIRING

- Candidate not selected
- Limited relationship
- Future opportunities remain

TERMINATION

- Income and benefits end
- Existing relationship severed
- Litigation and morale risk

Process, explanation and dignity can affect whether a dispute escalates.

Why Employers Turn to AI

The promise of consistency can disguise weak assumptions

**Large
workforces**

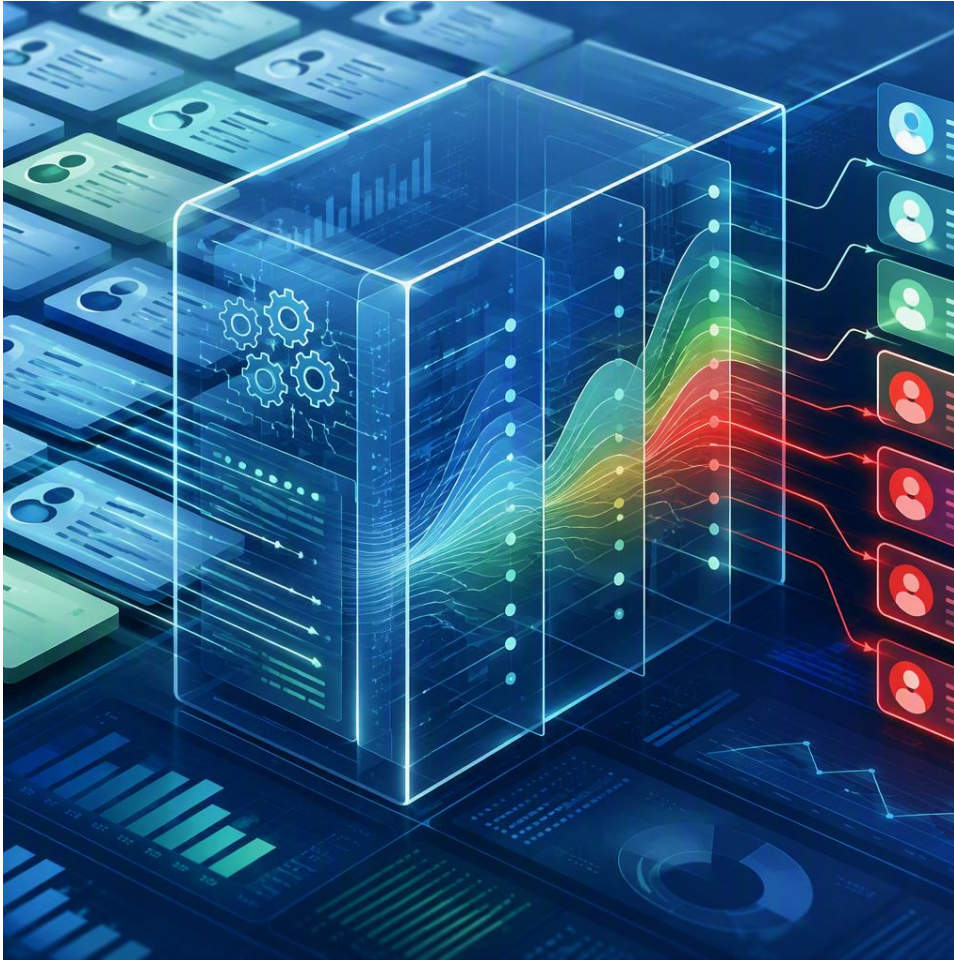
**Too much
data**

**Inconsistent
ratings**

CONSISTENCY $\neq$ FAIRNESS

A precise score can still be built on incomplete, biased or irrelevant data.

The New Reduction-in-Force Question



How were employees selected?

Traditional questions

- Seniority
- Performance
- Skills
- Redundancy

New question

Did an algorithm influence the list?

The Leave of Absence Problem



AI may misinterpret protected absences

Disability leave

Parental leave

Family caregiver leave

Accommodation periods

**Less activity data is not
the same as poor
performance.**

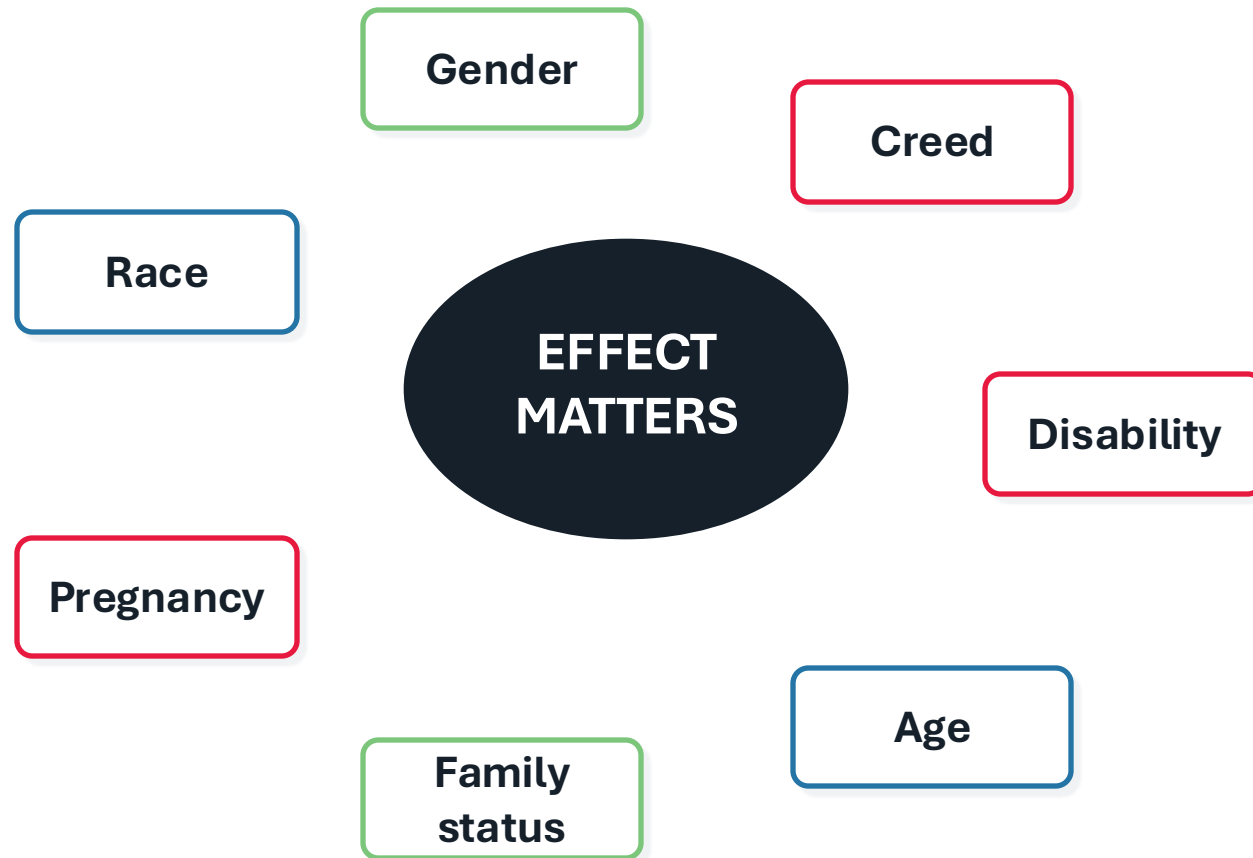
Human Rights & the "Black Box" Problem



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Human Rights Risks

AI identifies correlations, not legal context



Test outcomes, not merely stated criteria.

The “Black Box” Problem



Could you explain the termination?

“Why was I selected?”

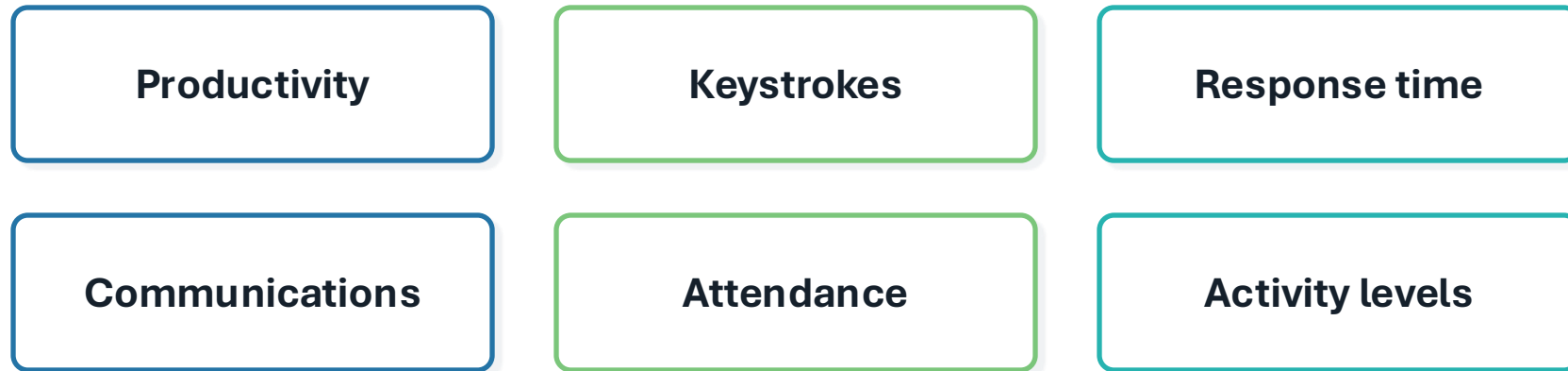
A defensible answer needs:

- Knowable factors
- Reliable records
- Reconstructable analysis
- A human rationale

“The software said so” is not an explanation.

Workforce Monitoring

From operational tool to termination evidence



ALERT ≠ PROVEN FACT

Investigate context and give the employee a meaningful opportunity to respond.

“Robo-Firing”



A human signature is not necessarily human judgment

Meaningful review means:

- Examine underlying records
- Understand the criteria
- Consider the employee’s explanation
- Have genuine override authority
- Record independent reasons

AI output is information, not the verdict.

Lessons from Europe

The EU AI Act treats key employment uses as high risk

Hiring

Promotion

Performance
evaluation

Termination

HIGH-RISK EMPLOYMENT AI

Risk management • Data governance • Documentation • Transparency • Human oversight

A regulatory signal for Canadian employers, even where the Act does not directly apply.

Canadian Legal Reality

There is no AI exception to employment law

Human rights

Duty to
accommodate

Contract and
common law

Privacy

Same legal obligations. Different evidence trail.

The employer remains responsible for the termination and the process leading to it.

Wrongful Dismissal Litigation

The decision trail is getting longer



PRESERVE criteria + inputs + output + corrections + final human reasons

A documented human decision is easier to defend than an unexplained score.

Best Practices & The Golden Rule



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Best Practices for Employers

Before AI influences a termination decision

1. Define the problem

5. Require human review

2. Validate inputs

6. Document final reasons

3. Remove leave distortions

7. Review vendor terms

4. Test outcomes

8. Preserve the record

Governance is not paperwork for its own sake. It makes the decision understandable and defensible.

The Golden Rule

AI should assist, not decide

AI CAN

- Organize Information
- Identify Inconsistencies
- Surface Patterns
- Test Consistency

HUMANS MUST

- Assess Context
- Consider Accommodation
- Exercise Judgment
- Own The Decision

Informed • Independent • Accountable

Beyond Hiring – Optimize Your Workforce For Diversity

- Track indicators of diversity, use AI to analyze
- Use AI to support employees with disabilities
- Use AI to promote equity in workplace communications
- Use AI to assess inclusion and engagement



Adapt to the changing AI landscape



Begin now



Be transparent



Provide and
take training



Continuously
upskill

Adaptability is the unsung qualification for the AI age

For decades, hiring has been a matching game:

A recruiter's job was to find the candidate whose skills best fit a pre-defined job description.

It's a predictable formula to evaluate talent, but it depends on the demands of the role staying pretty much the same.

A role that an organization hires for today may be starkly different in a short time.

Hiring Strategies

1

Ask interview questions that centre around curiosity

2

Look for determination in unlikely places

3

Reframe the 'unconventional' resume

What to Remember



01

AI is Reshaping Hiring — Fast

AI is rapidly changing how applications are submitted and how employers find candidates. Staying ahead means understanding how these tools work.



04

Humans Must Always Be in Charge

Regardless of function — hiring, termination, or workforce planning — a human must remain the decision-maker. AI assists; it does not decide.



02

Ask the Right Questions of AI Vendors

Before adopting any AI hiring tool, vet it carefully. Ensure it selects the right people and does not introduce bias or legal risk into your process.



05

AI Can Promote Workforce Equity

When the right tool is chosen and implemented thoughtfully, AI can help build a more diverse and equitable workforce.



03

AI Streamlines Workflows But Requires Ongoing Work

AI can reduce manual effort in recruiting, but it demands proper setup, configuration, and continuous maintenance.



06

Use AI Responsibly

AI is a powerful organizational asset. The organizations that benefit most will be those that deploy it with governance, transparency, and human oversight.

Questions



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Thank you!

[To learn more about our team HERE!](#)

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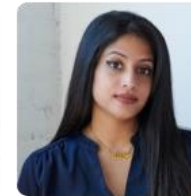
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