

AI Use in the HR World

(aka...The Wild West Comes Alive Again in the Modern Age in the Form of AI)



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What to Expect Today

A primer on the difference between *hyper-automation* and *artificial intelligence* (AI) and generative AI, and differences between “good” AI and “not-so-good” AI, which is leading to regulation of its use in the workplace.

Key takeaways:

- Understand what AI is
- Know how to apply it within HR, benefits, communications and recruitment and retention
- Safe next steps



Convocation

The Spirit of Collaboration

2024 • UNIVERSITY OF NOTRE DAME

What is Artificial Intelligence (AI)?

Versus “hyper-automation”

ARTIFICIAL INTELLIGENCE



Defined by Merriam-Webster

1. A branch of computer science dealing with simulation of intelligent behavior in computers
2. **The capability of a machine to imitate human behavior**

ARTIFICIAL INTELLIGENCE: Ability of machines to perform tasks associated with human intelligence, e.g., learning and problem-solving

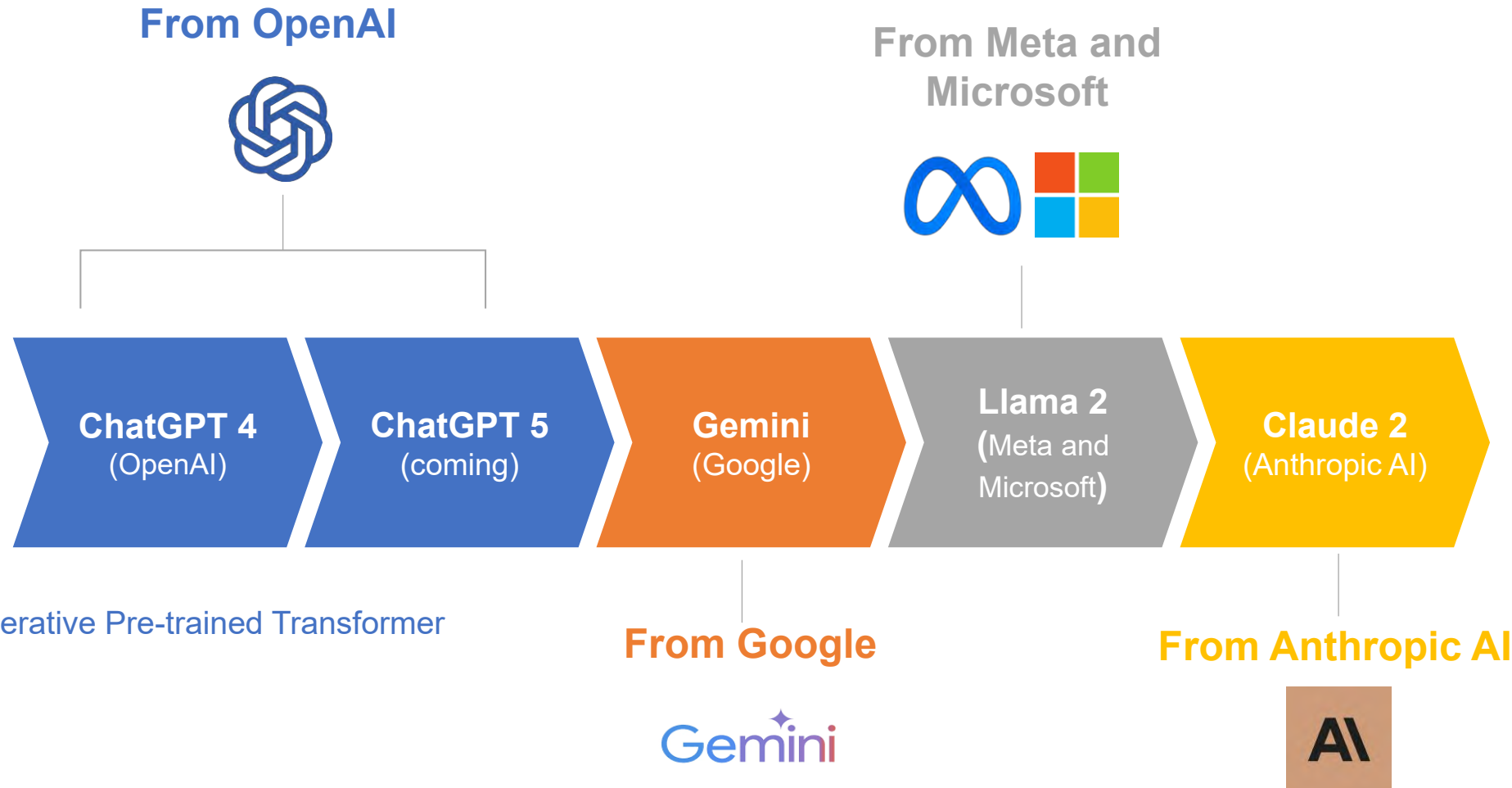


VS.



HYPER-AUTIOMATION: Makes things happen very quickly that could have been done by people in a slower multi-step fashion

AI (aka Large Language Models) in the Market



AI: Why I Should Care

Is there such a thing as “good” AI?

- MIT research on 14 large language models (LLMs) found:
 - OpenAI’s ChatGPT4 was most left-wing libertarian
 - Meta’s Llama 2 was most right-wing authoritarian
- There is good AI, if your inputs are correct, you don’t overextend your expectations and you proof the output.
- Productivity and clarity of language and intent should improve with use.



We believe no language model can be entirely free from political biases.

*- Chan Park,
PhD researcher at Carnegie Mellon University who was part of the study*

AI: Why I Should Care

“Less-than-good” AI

- FraudGPT (yes, it’s real) – called the “dark twin” or dark side of ChatGPT
 - Built specifically for malicious activities, e.g., phishing emails, cracking tools
- AI can’t be trusted free form; must ask questions to which it has factual answers
- AI can identify keystrokes using just the sound of your typing and steal info with 95% accuracy



I did not comprehend that ChatGPT could fabricate cases...I continued to be duped by ChatGPT. It’s embarrassing.

*- Steven Schwartz,
Attorney admitting to a judge he used
ChatGPT to craft a motion full of made-
up case law against Avianca Airlines
(June 2023)*

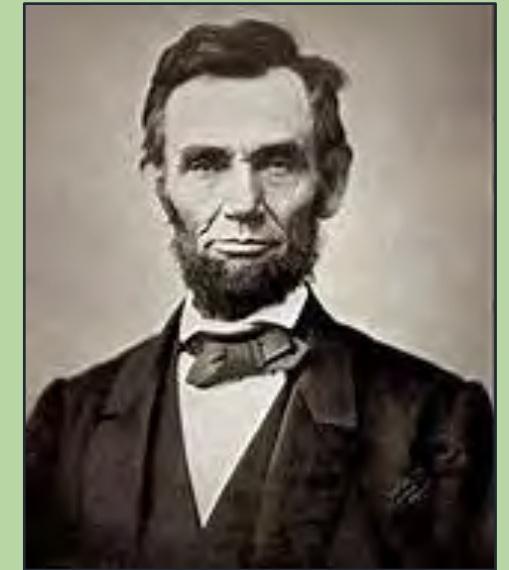
AI: Why I Should Care

So, when can I rest easier?

- In current stage, AI likened to “glorified tape recorder” by futurist Michio Kaku.
(August 2023)
- AI takes snippets of info on the web (created by humans), splices them together and presents it as AI-created information. *This is Generative AI.*
- It cannot discern true from false.

Everything on
the Internet is
true.

-Abraham
Lincoln, 1864



Regulation: Global & Education Community Response

GLOBAL ACTIVITY

- Italy first country to (temporarily) ban ChatGPT while regulators determined appropriate use.
- ChatGPT currently banned in 7 countries, down from 36, (mostly authoritarian).
- Europe poised to impose a blanket ban on some “unacceptable” uses of AI and enacting stiff guardrails for “high-risk” applications—reshaping use of AI for businesses and organizations.



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Sources: *Decentralizedcreator.com (April 2023), CNN Business (March 2024) Brian Fung*



EDUCATION COMMUNITY ACTIVITY

- NYC and Seattle public schools banned ChatGPT due to plagiarism and accuracy concerns.
- Universities in India, France and China report concerns of students trying to pass off AI-generated work as their own.

Legal Side Effects

Global and one model example on data use

LEGAL ACTIVITY

- In Dec. 2023, the NYT filed suit against Microsoft and OpenAI, alleging intellectual property violations associated with ChatGPT training data.
- NYT: “Regurgitation,” or spitting out entire “memorized” parts of specific pieces of content or articles, “is a rare bug that we are working to drive to zero.”
- Ongoing settlement negotiations focusing on displaying NYT content with attribution in ChatGPT.



PRIOR TO GEMINI (In Bard)

- If you click "How it works," Google says:
Your Google workspace content, like from Gmail or Drive, is not reviewed or used to improve Bard.
- You can turn off human review of conversations with Bard AND turn off machine analysis of those conversations.
- Know and trust when personal information is or isn't being brought into an LLM.

Legal Side Effects

Final notes on data use



The success of AI depends on data. That's because A.I. models become more accurate and more humanlike with more data.



in the same way that a student learns by reading more books, essays and other information, large language models — the systems that are the basis of chatbots — also become more accurate and more powerful if they are fed more data.

Regulation in Employment

U.S. government units and municipalities

EEOC

- Breaks new ground by settling first-ever AI discrimination lawsuit.
 - Employers using AI in hiring process can be liable for unintended discrimination.
 - AI vendor contracts typically include non-liability clauses.
 - Employers must vet AI tools and validate no discrimination.



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Source: Amundsen Davis, LLC and VitalLaw® (August 2023)



U.S. STATES & MUNICIPALITIES

- **New York City:** Candidate notification and right to know, annual audits, fines for violators.
- **Illinois:** Pre-interview notification and consent, confidentiality guidelines.
- **Maryland:** Regulates use of facial recognition
- **Coming:** California, New Jersey, New York (state), Vermont and D.C.; 13 others in discussion.

Regulation in Employment

Private use: recommendations for employer organization policies

1. Data entry

Never enter info classified as “confidential” or “restricted” in unapproved AI system.



2. No use of AI systems for company business

Actively monitor uploads of company info from company network to publicly accessible AI tools. Reserve right to take action and/or block usage.

3. Support productivity

Permit AI for productivity, if abiding by rules #1 & #2. Example: Draft sample job description or summarize employee policy.



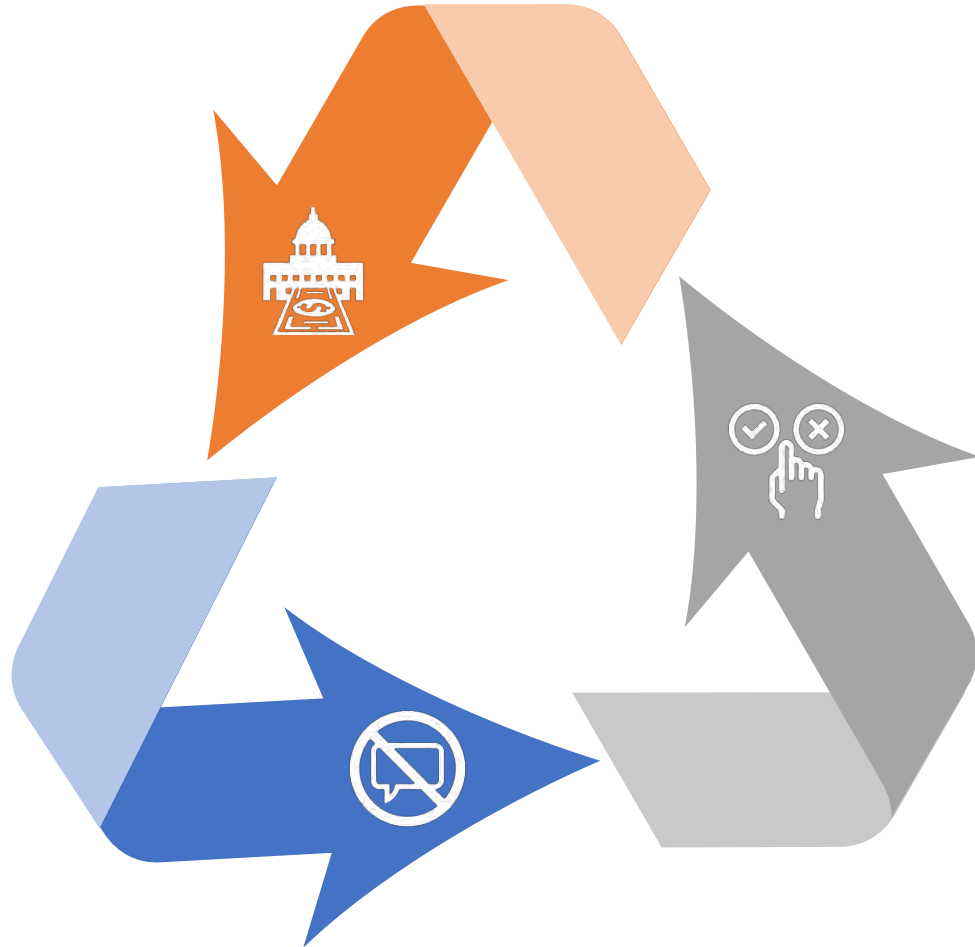
4. No public sharing of AI-generated content

Output from company-approved AI system should not be shared outside the company.

Commit to leveraging AI opportunities in a compliant manner and developing use cases.

Regulation

OpenAI's conversations and considerations



Federal Oversight

At the May 2023 G7 Summit, OpenAI said a federal agency might be required for oversight and licensing.



Moderation

OpenAI is considering adding Moderation to ChatGPT to exclude select information, e.g., how to make a bomb.



Should AI Pick a Side?

Moderation raises free speech question and may further polarize public opinion if OpenAI “picks a side.”

AI Impact on your Business

State of AI snapshot

ADOPTION



Adoption

Global AI adoption jumped 13% over prior year (IBM Study, 2022)



USAGE

Usage

25% of U.S. companies use AI; many are beginning to use it in hiring

REGULATION



Regulation

Federal and state laws lag the technology; Congress and president proposing legislation



EVOLUTION

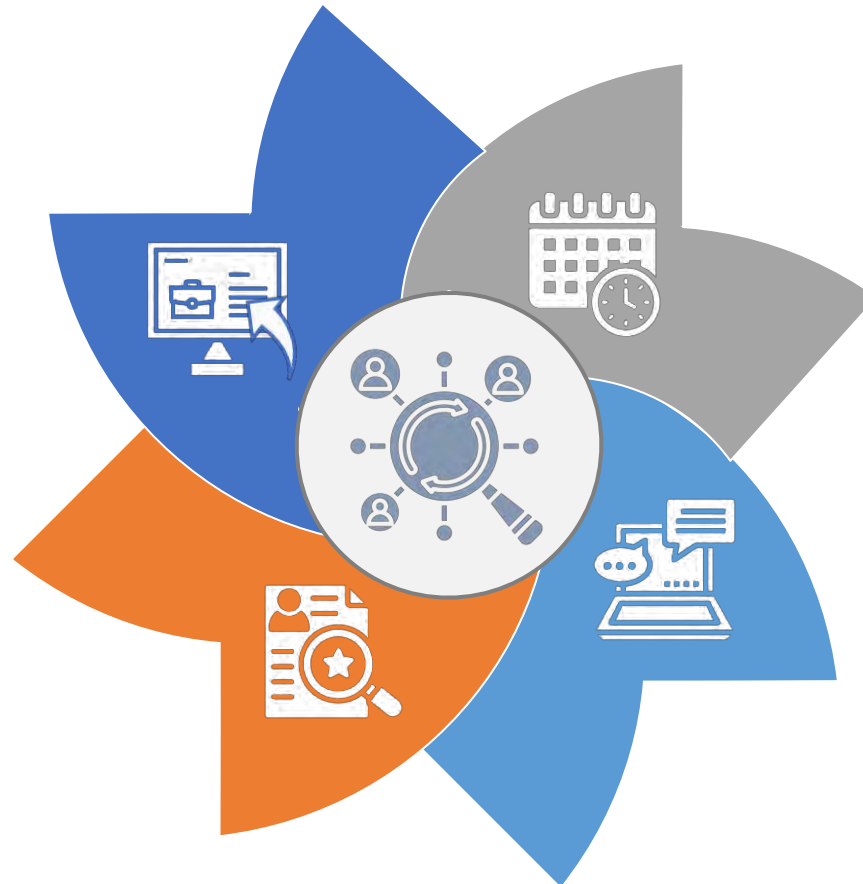
Evolution

AI is evolving fast and can make HR more strategic (less tactical)

AI Impact on Recruiting & Retention

Healthy and useful (i.e., safe) ways AI can help **RECRUITMENT** efforts

Auto-posting of job descriptions to targeted hiring sites



Scheduling candidate interviews & Summarize the Post-Interview notes

Resume evaluations



Sourcing data (chabots, transfer to live chat, call center and more)

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DISCUSSION



Thank you.

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