HOW TO CONDUCT YOUR OWN

RISK ASSESSMENT

A vendor's guide to NYC Local Law on automated hiring tools

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Step 1

Assemble a cross functional team in a workshop

☐ Schedule a work session with a multi-disciplinary team having legal, technical, compliance, product, and/or ethical expertise

☐ Assign someone to take minutes of the workshop

Step 2

Brainstorm all stakeholders that interact with your AEDT

☐ Develop groups of stakeholders regardless of whether they are positively or negatively impacted by the AEDT, including end users

☐ Refine the groups, perhaps through intersectionality or by thinking about their power disparities or vulnerabilities

Step 3

Explore harms (can be done concurrently with step 4)

☐ Brainstorm all the ways the AEDT could negatively affect a stakeholder group from their perspective

☐ Do a quick desktop research (e.g., news, incidents, lawsuits) to explore ways a similar AEDT might have caused harm

☐ Draw from experience and insights from complaints, support calls, feedback, concerns, conversations with users, developers, or operators, if available

Step 4

Explore causes

☐ Brainstorm all the ways the AEDT can go wrong regardless of intentions

☐ Use the expertise and experience of the team to identify conceptual or studied limitations of the technology, including from direct testing of the AEDT

Step 5

Connect causes to harms

- ☐ Look for gaps, i.e., missing causes for some harms, or vice versa
- ☐ Consider the broader socio-technical system, as many causes hide in the way the AEDT interfaces with people

Step 6

Prioritize harms in some way

- ☐ Categorize harms by likelihood (or frequency) and magnitude
- ☐ Estimate the expected risk for each harm, and sort them in descending order of severity
- ☐ Note what information might be missing from that prioritization

Step 7

Document the results

- ☐ A prioritized list of potential harms with stakeholder groups and causes
- ☐ A list of residual or unmitigated risks for either future mitigation or disclosure

Why Ethical Risk & Impact Assessments?

In relation to NYC Local Law 144, risk/impact assessments identify areas of bias for your AEDT that might result in discrimination from perspectives you have not considered. They give you insights about the root causes of harms, including the ones that could be a result of your AEDT. Furthermore, almost all forthcoming laws, regulations, and best practices for the responsible use of AI identify risk/impact assessments as a critical tool for governance.