

UCLA

Recent Work

Title

Algorithmic Biases in AI-Powered ATS Hiring Systems

Permalink

<https://escholarship.org/uc/item/7bj5g54q>

Author

MYERS, HARRY

Publication Date

2026-03-15

Algorithmic Biases in AI-Powered ATS Hiring Systems

Harry Myers

Samueli School of Engineering, UCLA, ENGR IV, Westwood, CA 90024, USA

Email: hmyers1@g.ucla.edu

Abstract

This Study explores how AI-driven hiring systems exacerbate structural inequality for applicants and serve as gatekeepers of economic opportunity. It engages with Feminist Standpoint Theory, Domains of Power Framework, and Disability Justice Theory.

Introduction

AI tools have significantly transformed the world's economy over the past half-decade. Since the public release of ChatGPT in November 2022, corporations have been quick to integrate artificial intelligence across nearly every department in pursuit of productivity, efficiency, and competitive advantage. What began as experimental automation slowly turned into a full-scale refactoring of labor practices, redistributing decision-making authority within the majority of the world's big companies. One of the most consequential shifts is in the domain of hiring, of which its initial stages have become almost completely automated by artificial intelligence.

Pre COVID-19, many jobs were evaluated in person through face-to-face interviews and by dropping off your resume at a company's HR office. The pandemic's rise has increasingly digitized this process, with applying online becoming the norm. The ease of applying online has added a multitude of competitive pressures, enabling “one-click” applications and leading to a surge in applicant volume, sometimes hundreds or thousands per role. This dramatic increase in the number of candidates for each opening, along with emerging AI automation technologies, has led to a meteoric rise in algorithmic screening systems that filter candidates before any human interaction occurs.

Applicant Tracking Systems (ATS) are the term coined for these screening systems, and they are now used by 97.8% of Fortune 500 companies [6] to rank, score, and eliminate applicants. ATS is marketed as an efficient, transparent, and fair alternative to previous human hiring methods, although these systems rely on historical hiring data and predictive modeling, raising concerns that they can produce racialized, gendered, class-based, and ableist labor biases and unfairly discriminate against certain applicants and reject them before a human even lays eyes on their application. The lack of oversight and regulation of ATS raises questions of power and accountability. This study analyzes AI-powered hiring systems through Feminist Standpoint Theory, the Domains of Power Framework, Disability Justice, and uses Theory of Change, for

solutions moving forward, all to examine how algorithmic screening functions not as an efficient technical assistance but as a reinforcement of systemic inequality, acting as a barrier to economic opportunity for those it deems unworthy. This work is in partial fulfillment of the ENGR184 course using the blueprint curriculum in Ref [1,2] and captured in a collection [3].

Methods

This study uses qualitative methods to analyze how artificial intelligence hiring systems influence labor market access and reproduce structural inequalities. This examination combines research into case studies, document analysis, and academic studies to understand the technical workings of ATS and its societal implications.

Case Study and Document Analysis: The first method used is a research analysis of two major legal cases involving AI hiring technology: *Mobley v. Workday, Inc.*, a litigation against the AI recruiting-as-a-service company Eightfold. Court documents and investigative reporting were scoured to identify how these systems operate by collecting data that leads to discriminatory results for applicants and automates rejection before human review occurs.

Academic Research: The second method used in this study is document analysis of academic research at the University of Washington and a survey conducted by Harvard University. These reports include research by labor economists and resume experts, as well as analyses of hiring platforms.

Critical Framework Application: Third, this study uses Feminist Standpoint Theory and Patricia Hill Collins's Domains of Power to interpret how corporate-designed algorithms encode dominant norms and exclude marginalized perspectives, raising questions such as: How does epistemic privilege shape AI design? Disability Justice perspectives also highlight how productivity norms, such as continuous work history, are structural in ATS algorithms. Together, these qualitative methods provide commentary on the social, cultural, and economic implications of ATS.

Research Findings

Bias in Automated AI Rejections

The integration of AI into ATS systems was designed to find the best talent in the most efficient and cost-effective way for large companies. This has backfired due to their routine, systematic exclusion of qualified candidates. A study conducted by Harvard Business School reveals the scale at which these systems 'gatekeep employment,' finding that "more than 90% of employers initially filter or rank potential middle-skills (94%) and high-skills (92%) candidates" [5]. This reliance on 'binary filters' such as specific skills, credentials, or years of experience creates a class of 'hidden workers' that never seem to make it through the initial stages of

employment. According to the Harvard data, because many of these companies all use the same algorithms, one ‘mistake’ in a hopeful applicant's application, such as a gap in work history or not enough of the ‘right’ keywords, means that a recruiter will never lay eyes on that candidate's resume, even if it meets every other professional criteria.

One of these ‘hidden workers’ names is Derek Mobley, who is the plaintiff in the case *Mobley v. Workday, Inc.*, which serves as an insight into structural inequality biases in software. Mobley, a middle-aged man with a bachelor's degree in finance, sued Workday Inc., an ATS software provider, because its AI screening tools rejected his applications for over 100 positions he was well qualified for within less than an hour [4,8]. Historical hiring data is used to train these models, and so they “develop implicit and explicit biases” [8].

Feminist standpoint theory provides an understanding of this by showing that ‘objective’ data from hiring history is often the perspective of the dominant group in a society. In this case, the dominant group is young, white, non-disabled men. The standpoint of the biased software reflects the dominant group's view and treats it as a baseline of merit, automating the exclusion of black and older applicants. Using Patricia Hill Collins’s *Domains of Power*, we can see that ATS functions as a structural power domain for corporations, since applicants cannot see the actual algorithm used, making it impossible to challenge the undoubtedly biased criteria applied to them. This also appears as a disciplinary domain due to the ‘binary filters’ mentioned in the Harvard study. The consequences of not conforming to the societal standards of hegemony (e.g., “no gaps in employment”) [5] essentially mean that there is a strict barrier to economic access, as seen in Mobley's 100+ applications with only automated rejections in response. “If an applicant’s work history has a gap of more than six months, the resume is automatically screened out by their ATS, based on that consideration alone” [5]. From the viewpoint of the Disability Justice Framework, we can see that ATS assumes a default timeline, meaning a resume that shows a straight line of professional advancement, able-bodied applicants with stable mental health, and great sources of energy. For many disabled people, their lives include periods of medical leave or rehabilitation and a pace that requires a nontraditional work history. This AI tool could eliminate their ability to find work for anyone who shows ‘unusual’ productivity norms, such as someone with ADHD, mental health issues, or extracurricular caregiving responsibilities.

Opaque Screening

Eightfold AI is a company that uses AI to automate talent acquisition and hiring for companies. It uses its own ATS model that is trained using deep learning, which is a specialized subset of machine learning that processes vast amounts of data to automatically recognize and pick up on patterns in images, sounds, and text, the same technology used in AI models such as ChatGPT. This deep learning system used by Eightfold is known to have the largest career profile dataset, with over 1.5 billion profiles [9]. According to Eightfold's website, their ATS system “identifies candidates based on skills, capabilities, and potential, removing bias from recruiting and improving workforce planning” [9]. A recent lawsuit against Eightfold AI alleges that the

company “scraped personal data on over one billion workers, scored job applicants on a 0-5 scale, and discarded low-ranked candidates before a human being ever saw their applications” [9]. The claim goes even deeper, stating that their system made inferences about applicants’ “preferences, characteristics, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes” [9]. By scoring applicants on a 0-5 scale using ‘inferred’ attributes, Eightfold acts as a disciplinary mechanism enforcing corporations’ structural domains of power, shielding them from accountability. An intuition that many people have is that AI is unbiased, “fairer than humans.” This leads into the Hegemonic Domain of Power because the datasets used to train the ATS come from previous hiring data that shows hegemonic societal structures as normal. It legitimizes the exclusion of “hidden workers” by framing their rejection as something other than a social bias. The use of AI to predict “intelligence, abilities, and aptitudes” goes against Disability Justice in that it enforces a ‘normal’ standard, which penalizes neurodivergent and disabled candidates. Eightfold's deep learning model creates an opaque structural power dynamic because the algorithm remains private, stripping marginalized people of their ability to contest the current hegemony. A study by the University of Washington found that AI models favored white-associated names 85% of the time versus Black-associated names 9% of the time [7]. This study shows that an ‘objective’ deep learning model functions as a digital warden enforcing Jim Crow levels of discrimination. This, coupled with the lack of transparency of these companies, leads to many of those being discriminated against not even realizing it until after hundreds of applications, reinforcing the Disciplinary Domain of Power by automating the preference for whiteness under the guise of ‘cultural fit’ or the like.

Conclusion

To move towards a more equitable labor economy, we need to transition from a system of opaqueness and automation to one with greater algorithmic accountability. Implementing laws that require ATS companies to provide annual bias reports and their exact means of judgment to their applicants. Rather than training models on historical, and therefore biased, data, developers must take this into account to ensure datasets prioritize the standpoint of marginalized groups, so that career gaps or nonlinear paths are treated as resilience rather than inability. From the point of view of the Radical-Reform Space framework, this would require open-source code transparency for any algorithm that dictates economic access, shifting power away from corporations and into the hands of the applicant. This would also include removing binary filters produced by these algorithms that create a class of hidden workers.

Moving forward, these systemically oppressive systems are looking like they aren’t going to change any time soon, so in order to combat this, it's important to be aware of their effects and also learn how to ‘game’ these systems so you won't get left behind. Resume expert Jazlyn Unbedacht states, “To land a job, it’s essential to understand how an ATS works and apply that knowledge to creating a resume” [6]. Those seeking employment in 2026 must be aware of the systemic effects of ATS and be literate in minimizing biased rejections through application

optimization until a radical reform is implemented to prevent artificial intelligence and corporations from discriminating against marginalized groups.

REFERENCES

1. Lee, Ethan, et al. "Education for a Future in Crisis: Developing a Humanities-Informed STEM Curriculum." arXiv preprint arXiv:2311.06674 (2023).
2. Sergio Carbajo, Nurturing Deeper Ways of Knowing in Science, *Issues in Science & Technology*, 2025, v. 41, n. 2, p. 71, doi. 10.58875/jkrw4525
3. Carbajo, S. (2026). Queered Science & Technology Center: Volume 4. Queered Science & Technology Center, 4. Retrieved from <https://escholarship.org/uc/item/0zb930m0>
4. Employment Law Worldview. "When Artificial Intelligence Discriminates: Employer Compliance in the Rise of AI Hiring (US)." *Employment Law Worldview*, 17 Feb. 2026, www.employmentlawworldview.com/when-artificial-intelligence-discriminates-employer-compliance-in-the-rise-of-ai-hiring-us/.
5. Fuller, Joseph B., et al. *Hidden Workers: Untapped Talent*. Harvard Business School and Accenture, Sept. 2021, www.hbs.edu/managing-the-future-of-work/Documents/research/hiddenworkers09032021.pdf.
6. Jobscan. "2025 Applicant Tracking System (ATS) Usage Report: Key Shifts and Strategies for Job Seekers." *Jobscan Blog*, 25 Nov. 2025, www.jobscan.co/blog/fortune-500-use-applicant-tracking-systems/.
7. Milne, Stefan. "AI Tools Show Biases in Ranking Job Applicants' Names According to Perceived Race and Gender." *UW News, University of Washington*, 31 Oct. 2024, www.washington.edu/news/2024/10/31/ai-bias-resume-screening-race-gender/.
8. "Moblely v. Workday, Inc." United States District Court Northern District of California, Case No. 3:23-cv-00770-RFL, 16 May 2025. GovInfo, www.govinfo.gov/content/pkg/USCOURTS-cand-3_23-cv-00770/pdf/USCOURTS-cand-3_23-cv-00770-1.pdf.

9. United States District Court Northern District of California: Kistler v. Eightfold AI Inc.
20 Jan. 2026,
static01.nyt.com/newsgraphics/documenttools/ee76b19400c66ac3/7e902630-full.pdf.
Exhibit PDF.