

Exploring AI in HR Practices

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Attorneys Sarah Sawyer and Russell Berger of Offit Kurman discuss emerging AI regulations in employment, highlighting Illinois as an example of where other states may follow. They explain that even without AI-specific laws, employers remain subject to existing federal and state employment and anti-discrimination laws, and AI-driven recruiting tools can create liability if they filter candidates with bias. Employers should proactively regulate and monitor how HR and recruiting teams use AI. The episode also notes that hiring and recruiting are likely targets for early transparency and disclosure requirements. Employers should be prepared to articulate how AI is used, what safeguards exist, and how confidentiality and data security are protected when handling job applications and other sensitive information.