

**Subjects:** HR Management

**Occupation:** Human Resources Department (HRD)

**Data type:** Professionals

## Can I contact a previous employer whose name appears in a CV?

In his curriculum vitae (CV), a candidate indicated a previous employer, without necessarily mentioning them his references.

The Human Resources Department (HRD) contacted this employer to get his opinion on the candidate.

The employer was surprised as the candidate who had never worked for him, had filed his candidacy with him as well.

The appointment of the candidate was compromised on both sides.

Data protection also applies to the hiring process. The candidate's consent is presumed only for those references that he has mentioned.

### Recommendations

Without the prior consent of the candidate, a potential employer is not allowed to contact the people mentioned in the CV, who are not specifically mentioned as referees.

### Basic principles

[LIPAD 37 al. 1 and 2](#) ; [CO 328](#) and [328b](#) ; [DPA 4, 7](#) ; [OFADP 8ss](#)

Principle of legality, good faith, transparency and data security (privacy)

### Resources