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Lying on a Resume or Job Application

Lying on a resume or a job application can be quite tempting, but you should avoid doing it, as it may cost you dearly in the future.

For many, it may come as a shock to know just how often job applicants lie on their resume, job application, or even in interview questions. They do this in the hopes that their lies will get them the job. You should refrain from doing this at all costs, however, because it is a risky strategy that may prove to be more harmful than not getting the job.

Lying on a Resume May Get You Fired

If you have landed a job by lying on your resume, background check, or in your interview, you may end up being fired. This is especially true when your lie had something to do with a relevant portion of your job. For example, if, on your resume, you falsely list that you received a college degree in a field related to the job, you will probably get fired if your employer ever discovers the falsehood. In addition to losing your current job, you may find it more difficult to find future employment because you have a termination for cause on your employment record.

Problems with Suing Your Employer

In addition to the possibility of losing your job, if you obtained your job by lying on a resume, you may not be able to sue your employer, even if your employer has violated your legal rights. Say, for example, that you were dismissed from your job in an illegal manner, or passed up for a promotion because of racial discrimination; you may not be able to recover against your employer if your employer can show that they would have not hired you in the first place if you had been honest on your resume or application. In general, courts have found that employees that lied in order to get a position cannot later sue their employer claiming that they were wronged.

Courts and other legal professionals have dubbed this legal strategy the "after-acquired evidence" theory. Evidence that supports this theory has included:

- Having been terminated for cause from a former position and failing to disclose or admit to it
- Not putting a former employer on a resume
- Making false statements about education, experience or holding professional licenses
- Concealing or failing to reveal a former felony conviction, and
- Making up a college degree during an interview.

In addition to these things that are done during the application process, other types of evidence can also be considered to be part of the after-acquired evidence theory. Removing and copying a company's confidential records, for example. Unlike evidence that relates to your job application, however, you may not be completely barred from bringing a lawsuit against your employer if this is the only type of evidence they have against you. Instead, a court may simply diminish your damage award by the amount of damage you caused the company by engaging in such acts.

Keep in mind that, like almost everything in the legal world, lying on a resume or job application may not be the end of the world. If you attempt to sue your employer, your employer can only use the after-acquired evidence if he or she can show that you would have been fired, or not hired to begin with, if your employer had known the truth. In order to do so, your employer will probably be required to show that the falsehoods in your application or resume were directly linked to your job and would have been enough to get you fired or keep you from getting the job.

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