# Warden AI expands as scrutiny of hiring algorithms intensifies



Warden AI, a London-based startup focused on AI compliance, is accelerating its expansion across North America and Europe following new investment. Founded in 2023 by Jeffrey Pole and Eduard Schikurski, the company specialises in auditing hiring algorithms for fairness and regulatory compliance. Its platform, which combines proprietary data with live dashboards, is already used by major HR tech providers including Greenhouse, Sense and Beamery.

The latest funding round, led by the founders of Onfido and venture firm Playfair, comes amid mounting global scrutiny of AI in recruitment. Investor interest reflects growing pressure on organisations to prove responsible AI use, particularly in sectors like HR where automated systems influence high-volume hiring decisions.

This momentum is underpinned by a landmark legal case in the US. In *Mobley v. Workday*, Derek Mobley—a Black man over 40 with mental health conditions—alleges that Workday’s AI-driven recruitment software repeatedly rejected his applications for over 100 jobs. On 12 July 2024, a federal judge in California ruled that key claims could proceed, including that Workday may be liable as an “employer” under agency theory. The ruling marks a significant reinterpretation of existing anti-discrimination laws to include AI vendors.

The US Equal Employment Opportunity Commission (EEOC) filed an amicus brief supporting Mobley’s claims, signalling a regulatory shift. The EEOC argues that companies offering algorithmic hiring tools may be covered by anti-bias laws, given their influence over employment outcomes. The case has amplified concerns that AI systems, without oversight, risk reinforcing discrimination rather than reducing it.

Warden AI’s CEO Jeffrey Pole described the ruling as a “wake-up call,” calling for greater transparency in AI development and use. “Our platform opens up the black box of algorithmic decision-making,” said Pole. “We’re helping organisations defend their systems and, more importantly, protect the people affected by them.” Playfair general partner Henrik Wetter Sanchez praised Warden’s blend of technical depth and regulatory focus. He said the company is well-positioned to lead in a compliance niche that is becoming increasingly essential for businesses deploying AI.

As regulatory frameworks evolve and HR leaders seek clear benchmarks for fairness, Warden’s growth reflects broader efforts to embed ethics into AI. The startup’s work aligns with the UK’s ambition to lead in safe, trustworthy technology—supporting innovation while safeguarding against harm.

The *Mobley v. Workday* case continues to develop, with wider legal arguments and collective actions underway. It provides a stark reminder of the accountability challenges AI presents and the growing importance of third-party auditing. For employers and AI vendors alike, monitoring and mitigating bias is no longer optional—it is fast becoming a legal requirement.

Warden AI’s rise highlights how independent oversight can support responsible AI adoption. As recruitment technologies evolve, the UK’s leadership in ethical compliance may help shape global standards for fairness in the age of automation.

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## Bibliography

1. <https://bdaily.co.uk/articles/2025/07/17/ai-watchdog-warden-wins-investor-backing> - Please view link - unable to able to access data
2. <https://bdaily.co.uk/articles/2025/07/17/ai-watchdog-warden-wins-investor-backing> - Warden AI, an AI compliance startup, has secured new investment to expand its AI auditing platform across North America and Europe. The funding round was led by the founders of Onfido and supported by early-stage venture capital firm Playfair. Founded in 2023 by Jeffrey Pole and Eduard Schikurski, Warden helps vendors and employers audit hiring algorithms for fairness and compliance, using proprietary data and live dashboards. Its services are already used by major HR tech platforms including Greenhouse, Sense, and Beamery. Interest in AI accountability has surged following a high-profile US lawsuit, Mobley v. Workday, a landmark lawsuit alleging that a hiring algorithm resulted in discrimination. The case has highlighted the legal and reputational risks of unchecked AI in recruitment. Jeffrey, chief executive of Warden, which is based in London and has a US office in Austin, Texas, said: “The Workday case is a wake-up call and highlights why Warden AI exists, to bring independent auditing and oversight to AI development and use in HR. We built the platform to open up the black box of AI systems, which in turn builds trust in AI, increases adoption, gives organisations the evidence to deploy and defend AI systems, and protects the people they impact.” Warden’s expansion comes as HR leaders increasingly demand proof of responsible AI, with fairness benchmarks and regulatory compliance influencing procurement decisions across the industry. Henrik Wetter Sanchez, general partner at Playfair, added: “AI is becoming central to high-volume talent decisions like hiring. But without proper oversight, it can entrench bias and expose companies to serious consequences. Warden solves this by offering robust, independent auditing. Jeff and Eduard bring the rare combination of regulatory depth and product execution needed to lead this category.”
3. <https://www.reuters.com/legal/litigation/workday-must-face-novel-bias-lawsuit-over-ai-screening-software-2024-07-15/> - A federal judge in California has allowed a proposed class action lawsuit against Workday to proceed. The suit claims that Workday's AI-powered software, used to screen job applicants, perpetuates existing biases, leading to discrimination based on race, age, and disability. The plaintiff, Derek Mobley, alleges he was rejected for over 100 jobs due to his being Black, over 40, and having anxiety and depression. The judge rejected Workday's argument that it is not liable under federal anti-discrimination laws because it is not an employer or employment agency, reasoning that Workday's involvement in the hiring process could still hold it accountable. While some claims were dismissed, significant parts of the lawsuit will move forward, marking an important precedent for AI's role in employment.
4. <https://www.reuters.com/legal/transactional/workday-accused-facilitating-widespread-bias-novel-ai-lawsuit-2024-02-21/> - Derek Mobley has filed an amended complaint in San Francisco federal court against Workday, alleging their AI hiring tools discriminate based on race, age, and disability, violating Title VII of the Civil Rights Act of 1964 and other federal laws. Previously dismissed by U.S. District Judge Rita Lin for not clarifying Workday's role in employee procurement, this renewed class action focuses on accusations that Workday's algorithmic decision-making enables discrimination. Mobley, a Black man over 40 who suffers from anxiety and depression, claims to have been unfairly rejected for over 100 jobs through Workday’s platform. Workday has denied wrongdoing and claims ongoing compliance with laws. The case addresses broader concerns about AI tools perpetuating biases in hiring processes. Mobley seeks damages and representation for potentially tens of thousands affected applicants.
5. <https://www.reuters.com/legal/transactional/eeoc-says-workday-covered-by-anti-bias-laws-ai-discrimination-case-2024-04-11/> - The U.S. Equal Employment Opportunity Commission (EEOC) has advocated for Workday to face a class action suit alleging its AI-powered hiring software is discriminatory. The suit, filed by Derek Mobley, claims the software dropped him from over 100 job applications due to his race, age, and mental health. The EEOC argued that Workday could be classified as an "employment agency" under anti-bias laws. Workday contends its software is customizable by clients and does not directly manage hiring processes. The case highlights concerns over AI tools potentially perpetuating biases. U.S. District Judge Rita Lin is set to review the motion to dismiss on May 7, after dismissing an initial complaint for lack of detail in January. Mobley seeks representation for large classes affected by similar biases and claims substantial damages.
6. <https://www.munckwilson.com/news-insights/ai-hiring-bias-and-the-workday-class-action/> - Plaintiff Mobley alleges that he applied, via the Workday platform, for 100+ positions for which he was qualified based on his education and work experience but was rejected from every job. He claims Workday’s AI-powered hiring tools systematically discriminated against him based on his race, age, and disability (depression/anxiety). Mobley asserts that Workday qualifies as an “employment agency” or “employer” under civil rights laws and therefore can be held liable for discriminatory outcomes resulting from its AI tools. Workday moved to dismiss the complaint, arguing that the company is not covered by laws prohibiting employment discrimination. On May 2, 2024, Judge Rita Lin permitted the Equal Employment Opportunity Commission (EEOC) to file an amicus brief on Workday’s motion to dismiss. The EEOC contended that Workday could plausibly be considered a covered entity under federal anti-discrimination laws as (1) an employment agency, due to its role in screening and referring job applicants; (2) an indirect employer, because of its control over applicants’ access to employment opportunities; and (3) an agent of employers, which delegated hiring functions to Workday. The EEOC urged that these longstanding legal theories should apply to new technologies like AI-powered hiring platforms. Although it refrained from taking a position on the accuracy of Mobley’s factual allegations, the EEOC asked the court to deny Workday’s motion to dismiss on these grounds, arguing that Mobley had sufficiently pleaded Workday’s potential liability under federal anti-discrimination laws (Title VII, the ADA, and the ADEA). On July 12, 2024, the court issued a mixed ruling on Workday’s motion to dismiss. It allowed Mobley’s disparate impact claims under Title VII, the ADEA, and the ADA to proceed, finding that Mobley adequately alleged Workday could be liable as an “employer” under an agency theory based on its screening of job applicants. However, the court dismissed Mobley’s claims alleging intentional discrimination and those alleging Workday was an “employment agency,” without leave to amend. The court also dismissed Mobley’s state law claim but granted him leave to amend that claim (according to a later-filed stipulation of the parties, Mobley will not amend his complaint). This ruling is a significant development in the evolving legal landscape surrounding AI-powered hiring tools, potentially opening the floodgates for lawsuits based on the use of algorithmic decision-making services. The Workday case has gained significant attention, not just for its allegations but also for the legal precedent it might set. The court’s decision to allow certain claims to proceed, coupled with the EEOC’s supportive stance, could potentially inform how liability is assigned in AI-assisted hiring processes. AI vendors and employers may face heightened scrutiny regarding the use of these tools, as this age-old issue receives new attention. Software developers and employers are certain to monitor the case closely. The outcome may have far-reaching consequences, potentially requiring AI vendors to bear more responsibility for ensuring their tools do not lead to discriminatory outcomes, while also placing greater onus on employers to monitor and test the AI tools they use in hiring processes.
7. <https://www.pleasantonweekly.com/courts/2025/06/04/discrimination-lawsuit-against-workday-moves-forward/> - A lawsuit against a Tri-Valley enterprise software company is continuing to make its way through the courts, with the case now being considered a collective action following a judge’s order last month. The case was initially brought forward by Derek Mobley in 2023, alleging that he was discriminated against on the basis of age, race and disability by employers using Workday’s platform in their hiring process. Three new plaintiffs have now joined the collective action, with all four alleging features of the platform engage in age discrimination in its recommendations to clients. “We continue to believe this case is without merit,” a Workday spokesperson told the Pleasanton Weekly. “Central to the Plaintiff’s allegations is that Workday products make hiring decisions on behalf of our customers, which is not true. We’re confident that once Workday is permitted to defend itself with the facts, the Plaintiff’s claims will be dismissed.”