

Category: 300 – Personnel

Number: 311

Subject: Background Check Policy

Purpose: St. Clair County believes that hiring qualified individuals to positions contributes to the County's overall strategic success. A check of a candidate's background is intended to serve as an important part of the selection process when hiring new employees and is conducted to promote a safe working environment. The purpose of this policy is to describe the terms and conditions under which background checks are conducted.

Authority: St. Clair County Board of Commissioner's

Application: This policy applies to all full and part-time St. Clair County employees, interns, board members and volunteers hired after August 1, 2007.

Responsibility: The Administrator/Controller shall be responsible for the implementation and administration of this policy.

Definition: The term "Background Check" is understood to encompass all forms of pre-employment screening, including but not limited to: drug screen, physical, criminal background, driving record, sex offender registry, education, training and licensing verification, employment history, credit check, and professional and personal references.

Policy: St. Clair County conducts background checks on:

- a. All part time and full time candidates
- b. All temporary and casual employees, seasonal workers, interns and student workers
- c. All appointed Board members (whether paid or unpaid)
- d. All volunteers

Prior to starting employment, the candidate must complete a satisfactory background check.

St. Clair County will ensure that all background checks are held in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act. The Human Resources Department will maintain a log of all background checks. The log and copies of the background check consent forms and reports will be maintained in a separate and confidential file.

All background checks are conducted after the applicant receives a conditional offer of employment. However, as part of Title VII of the Civil Rights Act,

this information cannot be used as a basis for denying employment unless it is determined to bear a significant relationship to the applicant's or employee's suitability to perform the required duties and responsibilities of the position. St. Clair County reserves the right to make the sole determination concerning information or any employment decision arising out of the background check.

St. Clair County requires all contractors who routinely perform work on campus to be in compliance with this policy.

Offer of Employment Process

Once a candidate has been identified for hire, the hiring manager submits a Request for Background Check form to the Human Resources Department. At that time, the hiring manager will be notified to extend a conditional offer of employment to the finalist. Sample Conditional Offer of Employment form letters are available in the Human Resources Department.

When making the offer of employment to the successful candidate, the hiring manager must inform the candidate that the offer is contingent upon the successful results of the background check. The Human Resources Office then conducts any and all applicable background checks on the final candidate and will notify the hiring department accordingly once the results are received.

General Guidelines

NEW HIRES: Background checks are required for all new hires. This includes all full-time, part-time and temporary employees. The background check must be completed and results verified before any employee begins work. At no time should an employee begin work until the Human Resources Department has verified results of the background check. All job offers must be made "contingent upon successful completion of a background check." After the conditional offer is made, the hiring official will notify HR and provide all of the required documents. After the background check is successfully completed, generally one to three working days, HR will notify the hiring official. The new employee may begin work at any time after that. On those rare occasions when the background check is not satisfactory, HR will provide guidance and a recommendation to the hiring manager or department head.

REHIRES: A background check is required for all rehires that have been separated for longer than 90 days.

TRANSFERS: A background check is not required for current St. Clair County employees transferring to another position within the County.

EMPLOYMENT CONTINGENCY: Background checks are to be processed after a conditional offer of employment has been extended to the applicant. Note:

The offer of employment is contingent upon the successful results of the background check.

AUTHORIZATION BY APPLICANT: The candidate must authorize the background check. This is done by having the applicant complete the [Employment Background Authorization](#) form and submitting this form to the Human Resources Department. This form is available on the St. Clair County intranet and can be sent via e-mail to the candidate as well. To expedite the process, the candidate may fax the completed and signed form to the Human Resources Department.

Verification of Background Checks

The results of the background check will be sent directly to the Human Resources Department. The Recruitment Specialist will review the report. If any discrepancies or criminal history are noted, the Recruitment Specialist will notify the Human Resources Director for final determination. The County reserves the right to consult with the hiring department, or any other pertinent office such as the Prosecuting Attorney, Sheriff's Department, Administrator/Controller's Office, etc.

If the background check is favorable, the Human Resources Department will notify the hiring manager that the candidate is approved to begin employment.

Criminal History

The type of criminal history which will be considered will be dependent on the type of job for which the applicant has been extended a conditional offer of employment. In determining an applicant's suitability for employment where the applicant has criminal convictions or charges on his/her record, consideration will be given to the specific duties of the position, the number of offenses and circumstances of each, the length of time since the charges or conviction(s) and the accuracy of the explanation on the application. The County reserves the right to conduct and in depth review of any criminal charges or conviction.

Adverse Action Notifications

If a background check is returned with unfavorable results, the Human Resources Department will notify the hiring manager that the background check was not completed successfully only. No privileged information will be relayed to the hiring manager.

The Human Resources Department will contact the candidate to inform him/her that St. Clair County is rescinding its conditional offer of employment. The County will give the candidate the opportunity to review a copy of the report, and inform him/her of his/her rights to dispute inaccurate information. If a candidate disputes the accuracy of any information obtained

in a background check (including criminal records) he/she should be referred to the agency that provided the information. Such dispute will not necessarily impact the hiring process. A candidate or current employee disputing the accuracy of information will have three (3) business days to conclusively demonstrate the inaccuracy of the information obtained in a background check, after which time an employment decision may be made.

Administrative

Procedure: None

Periodic

Review: None

Adopted: July 18, 2007

Revised: January 19, 2012