

Employment Background Checks

Policy Type: Institutional Wide

Responsible Office: Human Resources

Effective Date: August 12, 2010

Revision Date: September 26, 2018

POLICY STATEMENT

It is the policy of the University to conduct primary background checks of the employment history, credentials, criminal background (if any), names and previous addresses of candidates for employment, with their prior written consent. This primary background check will be conducted on final job candidates. Where appropriate, secondary background checks of credit, motor vehicle driver's record, drug and alcohol screening, and other searches deemed necessary will be conducted with prior written consent. These secondary checks will be conducted only on final job candidates for certain positions, e.g., credit checks for those handling large amounts of cash or with access to University bank accounts, or driver's record checks for those regularly driving University vehicles. Likewise, drug and alcohol checks will be conducted for those final candidates for positions such as (but not limited to) driving University vehicles, the operation of firearms, or work performed in potentially hazardous locations. The University also has the right to require existing employees to be subject to primary and/or secondary background checks when warranted by new job responsibilities such as those listed above. All background check activities initiated by the University are to be conducted in compliance with the Fair Credit Reporting Act (FCRA). **Please note that Faculty background checks are administered through the Provost's Office.**

This policy applies to all new employees or affiliates in the following job classifications:

1. All full-time and part-time faculty, staff, and administrators;
2. Adjunct faculty and temporary staff;
3. Employees who are returning to employment after more than a 12-month break in service;
4. Employees who are changing status from part-time to full-time employment;
5. Summer camp employees, conference workers, and volunteers;
6. Affiliates requesting access to student living spaces (including housing/dorms) and interacting/treating students in counseling centers or health clinics. Affiliate background checks can be completed by the access requesting company as long as a completed copy is provided to Human Resources.

This policy also may apply to current employees with new responsibilities that place them in security-sensitive positions.

Background checks will include:

- Social Security Trace
- Academic Verification (highest degree) US & Canada – International where applicable
- Prior Employment Verification (past (7) seven years) US & Canada – International where applicable
- Criminal National Database search
- Federal Criminal National Database search
- Criminal County Database Felony/Misdemeanor search

For Motor Vehicle Record checks, please refer to the Driver Policy. These requests are managed by the Operations Department with Butler University. Please contact Margie Zentz in Operations for more information:

Margie Zentz
mzentz@butler.edu
317- 940-8961

REASON FOR POLICY

The safety and security of Butler University students, faculty, staff, and visitors is of paramount importance. To further ensure the safety and security of our campus community, background checks are conducted on final job candidates as deemed necessary. The University seeks to hire individuals who are well qualified and have a strong potential to be productive and successful. All offers of employment at Butler University are contingent upon the successful completion of a thorough background check.

ENTITIES AFFECTED BY THIS POLICY

Faculty, Staff, Administration Applicants
Affiliates
Volunteers

POLICY APPROVAL

Associate VP of Human Resources

CONTACTS

Human Resources
askHR@butler.edu

DEFINITIONS

Adverse Action	An action adverse to the individual that is taken, based in whole or in part, on a consumer report or court record obtained from an external background check company.
Adverse Findings	Information in a consumer report or court record that may negatively impact an employment decision or otherwise affect an individual's employment. This information must be provided to the candidate, who will have the opportunity to dispute any incomplete or inaccurate information.
Background Check Company	An external vendor, selected by Human Resources (HR) to conduct confidential background checks, using public data sources and previous employment and/or educational information provided by a candidate.
Credential Verification	Verification of degree, license or certification attainment, generally verified by the awarding institution or organization.
Credit Background Checks	Credit bureau or consumer report of a candidate's credit history.
Criminal Background Checks	State and country-level searches of public court records for misdemeanor and/or felony convictions, including sex offender registry searches. These checks would cover the previous seven years. Candidates are not barred from employment simply due to a prior conviction. The type of conviction, when it occurred, and any other relevant circumstances also will be considered.
Drug and Alcohol Screens	Testing to determine substance abuse for certain positions, such as (but not limited to) positions requiring the operation of heavy equipment or University vehicles, or work performed in potentially hazardous locations. (See the University's Policy on Substance Abuse for a more detailed description).
Employment History	Verification of dates of employment, position, duties, rehire status, salary, and performance, generally obtained through previous employer's Human Resources departments.
Fair Credit Reporting Act	A federal law that promotes accuracy, fairness, and privacy of information in the files of consumers reporting agencies.

References	Verification of personal, professional, and academic recommendations.
Security-Sensitive Positions	Certain positions on campus with access to financial applications and cash, keys to certain campus buildings such as residential buildings, medical records, student information, and other positions deemed to be security-sensitive.
Sex Offender Registry Search	Search of a state's registered sex offender lists.
Social Security Number Trace	Verification of the candidate's name and name variations, current and former address(es) associated with that SSN, and date of birth. These checks would cover the previous seven years.

PROCEDURES

1. All candidates must complete the *Butler University Employment Application*, which includes an authorization statement to complete a background check. Failure to do so will result in the applicant not being considered further for employment.
2. All affiliates requesting the above mentioned permissions must complete the New Affiliate Request Form and Affiliate Code of Responsibility form. The HR office will work with the requesting party to coordinate background check completion.
3. The University utilizes an external background check company, Barada, Inc. to conduct primary and/or secondary checks. Results are generally available within 3-5 business days. (International checks take significantly longer, depending on the response time of international jurisdictions.).
4. The candidate will initiate the background check via an electronic link housed within the offer letter. This will trigger a request to our external background check vendor, Barada, Inc. The candidate will receive a confidential email from Barada, Inc. on behalf of Butler University, notifying them to complete the authorization form. The electronic release form informs the candidate of their rights under the FCRA. HR is notified via email upon the candidate's authorization to complete their background check and Barada, Inc. will begin the check at that time. HR will receive the report upon its completion. The hiring manager will be notified via email by HR of the status of the candidate's background check as soon as it is complete. This does not include volunteers.
 - a. In summary:
 - i. The candidate submits the application to HR which contains authorization for the background check
 - ii. The background check request through Barada, Inc. is submitted once the candidate initiates it through the offer letter
 - iii. Barada sends email to candidate on behalf of Butler for authorization of the background check
 - iv. Once the candidate authorizes online, Barada begins the background check process (typically takes 3 -5 business days)
 - v. Once Barada completes the report, a notification is sent through email to HR
 - vi. If the report is complete and cleared, HR will notify hiring manager via email of completion
 - vii. If further action is needed, HR will notify hiring manager

Adverse Findings

1. The HR representative will notify the hiring manager in instances where negative or incomplete information is obtained. The appropriate management and HR representative will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, additional FCRA requirements are handled by HR in conjunction with Barada, Inc.

2. The University ensures compliance with all applicable FCRA laws requiring the University to follow certain procedures before it takes any adverse action in regard to the candidate (i.e., a decision not to hire the candidate). The FCRA requires the University, prior to taking any adverse action, to send a letter to the candidate stating that the University intends to take adverse action (“Intent Letter”). Among other information, the Intent Letter includes the name, address and telephone number of the agency that provided the information and a copy of the report provided to the University. Generally, five days after the Intent Letter is sent to the candidate, the University will then send the candidate a letter stating its decision (i.e., the decision not to hire the candidate) (“Adverse Action Letter”). Both the Intent Letter and the Adverse Action Letter must contain specific information required by the FCRA. It shall be HR’s responsibility to ensure that these letters are sent to the candidate and that they comply with the FCRA. The candidate shall be given the opportunity to challenge any information believed to be incorrect or incomplete.
3. All information is kept in strict confidence by the University. Only the Provost or applicable HR representatives have access to the details of adverse findings. The Provost or HR may contact the candidate to obtain more information regarding the adverse findings.

A. Record Retention

1. In all cases, background check information must be handled with the utmost confidentiality and care. The procedure for record retention is as follows:
 - o For the successful candidate, the background check information is retained as part of the electronic personnel file. Only approved HR personnel have permission to access these documents to ensure the strictest of confidentiality.
 - o For the unsuccessful candidate, the background check information is retained in a separate, secure electronic file in HR only if it resulted in a decision not to hire the candidate or other adverse action. It should be retained for (3) three years and then destroyed. If it had no bearing on the employment decision, the file is destroyed immediately.

B. Education and Distribution of Policy

1. A copy of this policy is available to all faculty, staff and administrators in print with the HR department and online at the HR website www.butler.edu/hr. A summary of this policy shall be provided in University faculty and staff handbooks and may appear in other publications prepared by HR. Questions regarding this policy may be directed to your department head, vice president, college dean, or a representative of HR.

FORMS/RESOURCES

Package	What is Covered
Exempt Employee	<ul style="list-style-type: none"> • Social Security Number Trace • Academic Verification (highest degree) US & Canada • Prior Employment Verification (past 7 years) US & Canada • Criminal National Database search • Federal Criminal National Database search • Criminal County Database Felony/Misdemeanor search
Non-Exempt Employee	<ul style="list-style-type: none"> • Social Security Trace • Prior Employment Verification (past 7 years) US & Canada • Criminal National Database search

	<ul style="list-style-type: none"> • Federal Criminal National Database search • Criminal County Database Felony/Misdemeanor search
Volunteer	<ul style="list-style-type: none"> • Social Security Trace • Criminal National Database search • Criminal County Database Felony/Misdemeanor search

APPENDICES

HISTORY/REVISION DATES

Issue Date: August 12, 2010
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