

Pre-Employment Screening 101

Pre-employment screening is used by many businesses to verify the accuracy of applicants' employment history, educational history, and credentials, as well as confirming the lack of criminal history, workers compensation claims, and sanctions. Employment screening is using public or private records and investigation to confirm or disprove the accuracy of an applicants resume. Because of the potential sensitivity of the information uncovered, employment screening is subject to a unique set of laws and regulations to protect consumers in the event of misuse of data or fraud.

Usefulness

Employment screening can be a practical, low-cost way to significantly reduce employee theft and dishonesty and notably increase productivity and safety. Certain industries require background checks on all employees. Examples include the banking, financial, and security industries, transportation industries, childcare, healthcare, and teaching industries, police, law enforcement, and certain military positions. The level of background investigation may vary from industry to industry or position to position. Employers who actively screen their applicants before hiring also face less liability in the event of a workplace accident or crime. Pre-employment screening is a primary way of eliminating or minimizing negligent hiring liability.

Laws

Due to the sensitivity of the information contained in consumer reports and certain records, there are a variety of important laws regulating the dissemination and legal use of this information. Most notably, the Fair Credit Reporting Act (FCRA) regulates the use of consumer reports (which it defines as information collected and reported by third party agencies) as it pertains to adverse decisions, notification to the consumer, and destruction and safekeeping of records. If a consumer report is used as a factor in an adverse hiring decision, the consumer must be presented with a "Pre-adverse action disclosure," a copy of the FCRA summary of rights, and a "notification of adverse action letter." Consumers are entitled to know the source of any information used against them including a credit reporting company.

Types of Background Checks

There are a variety of types of investigative searches that can be used by potential employers. Many commercial sites, will offer specific searches to employers for a fee. Services like these will actually perform the background checks, supply the company with adverse action letters, and ensure compliance throughout the process. It is important to be selective about which pre-employment screening agency you use. A legitimate company will be happy to explain the process to you and should have some type of application process to ensure they are only providing information to legitimate businesses.

Many employers choose to search the most common records such as criminal records, driving records, and education verification. Other searches such as sex offender registry, credential verification, reference checks, credit reports and Patriot Act searches are becoming increasingly common. Employers should consider the position in question when determining which types of searches to include, and should always use the same searches for every applicant being considered for one position.

Reasons

They are frequently conducted to confirm information found on an employment application or résumé/curriculum vitae. They may also be conducted as a way to further differentiate potential employees and pick the one the employer feels is best suited for the position. In the United States, the Brady Bill requires criminal background checks for those wishing to purchase handguns from licensed firearms dealers. Restricted firearms (like machine guns), suppressors, explosives or large quantities of precursor chemicals, and concealed weapons permits also require criminal background checks. Background checks are also required for those working in positions with special security concerns, such as trucking, ports of entry, and airline transportation. Other laws exist to prevent those who do not pass a background check from working in careers involving the elderly, disabled, or children.

Possible Information Included

The amount of information included on a background check depends to a large degree on the sensitivity of the reason for which it is conducted—e.g., somebody seeking employment at a minimum wage job would be subject to far fewer background check requirements than somebody applying to work for the FBI.

- * Criminal and incarceration records.
- * Litigation records. Employers may want to identify potential employees who routinely file discrimination lawsuits. It has also been alleged that in the U.S., employers that do work for the government do not like to hire whistleblowers who have a history of filing qui tam suits.
- * Driving and vehicle records. Employers in the transportation sector seek drivers with clean driving records--i.e., those without a history of accidents or traffic tickets.
- * Drug tests are used for a variety of reasons--corporate ethics, measuring potential employee performance, and keeping workers' compensation premiums down.
- * Education records. These are used primarily to see if the potential employee had in fact received a college degree. There are reports of SAT scores being requested by employers as well.
- * Employment records. These usually range from simple verbal confirmations of past employment and timeframe to deeper, such as discussions about performance, activities and accomplishments, and relations with others.
- * Financial information: Individuals with poor credit scores, liens, civil judgments, or those who have filed for bankruptcy may be at an additional risk of stealing from the company.
- * Licensing records. A government authority that has some oversight over professional conduct of its licensees will also maintain records regarding the licensee, such as personal information, education, complaints, investigations, and disciplinary actions.
- * Military records. Although not as common today as it was in the past fifty years, employers frequently requested the specifics of one's military discharge.
- * Social Security Number (or equivalent outside the US). A fraudulent SSN may be indicative of identity theft, insufficient citizenship, or concealment of a "past life".
- * Polygraph test. Also known as a psychophysiological detection of deception (PDD) examination.
- * Other interpersonal interviews. Employers will usually wish to speak with potential employees' references to gauge employability. More intensive background checks can involve interviews with anybody that knew or previously knew the applicant--such as teachers, friends, coworkers, and family members.