

Policies and Procedures

SECTION: Administration	NO. 2.2.21.		
CHAPTER: Human Resources	ISSUED: 3/24/03	REV. A 04/01/16	REV. B
POLICY: Pre-Employment Background Investigations	PAGE 1 OF 4		

PURPOSE

The purpose of this policy is to provide the University with an additional tool for identifying candidates who will contribute to the health, safety and wellbeing of our students, patients, visitors, faculty and staff, as well as the overall University environment. In addition, it will further assure compliance with state and federal laws.

SCOPE

This policy applies to all full-time, part-time and temporary staff positions and full-time, part-time and adjunct faculty positions. All newly hired staff & faculty employees (external candidates) and current employees applying for a new position (internal candidates) will be subject to a background investigation. It should not be assumed that a thorough investigation was completed when a staff employee was originally hired or that information revealed in a previous background investigation has not changed. In addition, if adverse information is reported for a current Creighton staff employee (internal candidate) it may adversely impact his/her current employment.

POLICY

Background investigations will be conducted, via a contractual arrangement with an outside vendor once an official offer of employment has been extended. The actual commencement of employment will be contingent upon the results of the screening process.

Confidentiality: The handling of all records and subject information will be strictly confidential and revealed only to those required to have access. Any breach of confidentiality will be considered serious and appropriate disciplinary action will be taken.

The Human Resources Department will determine the investigations to be conducted based upon duties and responsibilities, autonomy levels, and amount of supervision provided the position. Investigations will include, but not be limited to, a combination of the following screenings:

County Criminal Record Search (Required)

Social Security Number Search (Required)

Alias Name Search (Required)

Found Protection Orders (Required)

Found Wants and Warrants (Required)

Residential History Search (Required)

Office of the Inspector General (OIG)

Cumulative Sanction Report (Required for all employees involved in Health Care.)

Federal Criminal Record Search

Credit Report

Driving Record

Education and/or License Verification

Employment or Personal Reference Check

Sex Offender Registry

Policies and Procedures

SECTION: Administration	NO. 2.2.21.		
CHAPTER: Human Resources	ISSUED: 3/24/03	REV. A 04/01/16	REV. B
POLICY: Pre-Employment Background Investigations	PAGE 2 OF 4		

PROCEDURES

When an offer of employment has been extended to a candidate, the hiring supervisor will:

- ◆ Secure a completed Background Investigation Acknowledgement and Authorization form, (a sample copy of this form is attached to this policy). Pending an offer of employment a candidate must complete and sign Section I & II of the Background Investigation Acknowledgement and Authorization form.
- ◆ Forward the completed Background Investigation Acknowledgement and Authorization form to the appropriate Human Resources representative for processing.

Employment will be conditional upon receipt of results.

Outcome of Background Investigation:

If the results indicate suitability for employment, a Human Resource representative will notify the hiring supervisor that the candidate may be contacted to coordinate a start date.

If the results indicate any adverse information:

A conviction for a felony or misdemeanor, *by itself*, does *not* disqualify a candidate from employment.

Consideration will be given to:

- the number of convictions;
- the nature, seriousness and date(s) of occurrence of the violation(s);
- rehabilitation;
- relevance of crime committed in relation to position;
- state or federal requirements related to the position; and
- other evidence demonstrating an ability to perform the job competently and free from posing a threat to the health and safety of others.

The Employment/Recruitment staff and the Director of Human Resources will review the results of the background investigation in relation to the position under consideration. All known factors regarding the candidate will be considered. If the decision requires additional review, the Director of Human Resources will consult with the area Vice President and/or Dean and the General Counsel's Office (if necessary).

Policies and Procedures

SECTION: Administration	NO. 2.2.21.		
CHAPTER: Human Resources	ISSUED: 3/24/03	REV. A 04/01/16	REV. B
POLICY: Pre-Employment Background Investigations	PAGE 3 OF 4		

- A) If a favorable decision is made to continue with the hiring process, a Human Resource representative will notify the hiring supervisor to proceed. The results of a background check will only be shared with a hiring supervisor if the Director of Human Resources determines it is necessary.
- B) If it is determined that the applicant is ineligible for the position, the Human Resources Department will notify the hiring supervisor that the hiring decision is "on hold" pending notification of the candidate regarding the results.

The Notification Process:

A Human Resources representative will notify the candidate via an Adverse Letter of Notification, informing him/her of the results of the background check (a sample copy of this letter is attached to this policy). *According to the Fair Credit Reporting Act, the Human Resources Department will provide a copy of the report only if employment is denied based on the results of the background investigation.* The Adverse Letter of Notification will also include instructions for contesting this information in accord with the procedures of the vendor.

The Human Resources Department will provide the candidate with:

- ◆ A copy of the Background Check
- ◆ A copy of Your *Rights Under the Fair Credit Reporting Act*
- ◆ A copy of the name and telephone number of the vendor

Disputing the Background Check report:

- A) A candidate is allowed seven business days from the date on the Adverse Letter of Notification, to contact a Human Resources representative to discuss what information in the report caused ineligibility for hire. **AND**
- B) ***The candidate must contact the vendor directly within seven business days from the date on the Adverse Letter of Notification. (Failure to complete steps A and B will result in automatic disqualification from the hiring process.)***
- C) *The vendor is required to investigate the disputed information within ten business days from the date on the complaint.*

Until a final decision is made, the individual will not be allowed to begin employment and the position will not be filled by another candidate.

Policies and Procedures

SECTION: Administration	NO. 2.2.21.		
CHAPTER: Human Resources	ISSUED: 3/24/03	REV. A 04/01/16	REV. B
POLICY: Pre-Employment Background Investigations	PAGE 4 OF 4		

Once the reinvestigation of disputed information has been completed:

The ultimate determination regarding the candidate's suitability for employment will be made by the applicable Vice President and/or Dean, in consultation with the Director of Human Resources, and based upon final background investigation results.

It will be at the discretion of the applicable Vice President and/or Dean and the Human Resources Director to determine if any background check results will be disseminated to the hiring supervisor.

Note: The outside vendor conducting the background investigation is not responsible for the decision to hire or not hire. Once a final decision is made, a Human Resources representative will notify the candidate.

Any identified misrepresentation, falsification, or material omission of information from the employment application/resume discovered during the selection process or after hire, may exclude the candidate (external or internal) from consideration for the position, or result in withdrawal of an offer of employment, or immediate termination.

Creighton University reserves the right to conduct a background investigation when an employee is charged with any crime that reflects on his/her suitability for continued employment. Background investigations may also be initiated as a result of an internal administrative investigation.

ADMINISTRATION AND INTERPRETATIONS

Questions about this policy can be directed to the Director of Human Resources. In addition, the General Counsel's Office and Compliance Officer for the Health Sciences Schools may also be a helpful resource.

AMENDMENTS OR TERMINATION OF THIS POLICY

Creighton University reserves the right to modify, amend, or terminate this policy at any time.

Background Investigation Acknowledgement and Authorization

In connection with my application for employment, I understand that a background investigation will be conducted which will include, but may not be limited to, a combination of the following screenings:

County Criminal Record Search (Required)
Alias Name Search (Required)
Found Wants and Warrants (Required)
Found Protection Orders (Required)
Residential History Search (Required)
Social Security Number Search (Required)

Federal Criminal Record Search (Required)
Credit Report
Driving Record
Education and/or License Verification
Employment or Personal Reference Check
Sex Offender Registry

Office of the Inspector General (OIG) Cumulative Sanction Report (Required for all employees involved in Health Care)

My signature below indicates I have received a copy of this form and I authorize Creighton University to conduct the required background investigation used in connection with consideration of my application for employment. I release Creighton University and its partners, officers, directors, agents, employees, affiliates, and its agent _____ Vendor _____ from any and all liability for any damages which may arise from or relate to any consumer report and/or investigative consumer report and/or other background investigation requested, obtained or used by Creighton University with my application for employment. **Special note to internal candidates (current employees): The result of this investigation may adversely impact your current employment with the University.**

Section I (Candidate): (Please Print)

Name: _____
Last First Middle

Other Names Used: _____

Current Address: _____
Street City State Zip Code

Prior Address: _____
Street City State Zip Code

I understand that if adverse information is revealed, I will be notified in writing by the Human Resources Department. I will have seven business days, from the date on the written notice, to contact the Human Resources Department to discuss the adverse information. I further understand that I must also notify _____ Vendor _____ to contest the results of the background check within seven business days from the date of the written notice to me. Failure to complete any part of this process in described time frames will automatically result in disqualification from the hiring process.

Signature: _____ **Date:** _____

Section II (Final Candidate): (To be completed by Hiring Supervisor)

Date of Birth (Month, Day, Year) Gender Social Security Number

Driver's License Number and State of Issuance (Only if position requires driving record check)

Adverse Letter Sample

Name
Address
City, State, Zip

Dear _____ :

As authorized in the employment application process, Creighton University contracted with _____ Vendor _____ to complete a pre-employment background investigation. The purpose of this letter is to inform you that there is information in the results of the report which, if accurate, would prevent us from offering you employment at this time. A copy of the report is enclosed.

If, after reviewing the report, you believe the information in the report is inaccurate and/or you want to know what information in the report made you ineligible for hire, please contact me directly *within seven business days from the date of this letter at (402)280-xxxx*. If you do not respond, it will be assumed that you no longer wish to pursue employment with Creighton University.

Also enclosed is a description of your rights under the Fair Credit Reporting Act (F.C.R.A.). It is important to note that although _____ Vendor _____ is not responsible for the decision to hire or not hire, according to the law, you have the right to dispute any information in this report directly with the Vendor. You are responsible for providing notification to _____ Vendor _____ if the information reported to Creighton University is believed to be inaccurate or incomplete within seven business days from the date on this notice. _____ Vendor _____ is then required to re-verify the information within ten business days from the date on your complaint. If the information is found to be inaccurate, incomplete, or cannot be verified; _____ Vendor _____ will promptly modify the report and notify Creighton's Human Resources representatives.

To contact _____ Vendor _____, you may write or call:

_____ Vendor _____
P.O. Box 1234
Omaha, NE 00000
(402) 000-0000

Sincerely,

HR Representative
Human Resources Department
Creighton University

Enclosure: Background Report