



# FERRIS STATE UNIVERSITY

## HUMAN RESOURCES

### HR Related Policies & Procedures

Effective Date: October 16, 2012

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## Employment Background Check

### COVERED EMPLOYEES

- All final applicants
- Current University employees who are selected for promotion/transfer to specific positions.

### BOT POLICY

**Sec. 6-201. Statement of Principles.** It is the responsibility of the President, or his/her designee, to establish and administer recruitment methods and procedures that will serve to attract large, diverse applicant pools that will allow the University to select and hire qualified, talented employees while complying with applicable laws, regulations and policies.

### HR PROCEDURES/DESCRIPTION/DEFINITIONS

- I. Final Applicants, New or Re-Hired Employees and Employees Considered for Transfer/promotion into Designated Positions

Human Resources (HR) will conduct a background search on the following individuals:

- final applicant for each University position
- re-hired employees if there has been a break in University employment of twelve (12) months or longer
- current employees who are a final candidate for selected University positions (including, but not limited to, positions in the Business Office, the Finance Office, Tot's Place, and positions requiring issuance of grand or building master keys)

The Department of Public Safety will conduct their own background searches for candidates for Public Safety positions.

Types of Background Checks: The University may conduct background checks using its own resources or it may use the resources of an outside third party

and/or the Michigan State Police Internet Criminal History Access Tool (ICHAT) to obtain background information on a final applicant. Searches may include, but not limited to:

- criminal history
- sex offender registry
- motor vehicle records
- Social Security number verification
- credit history examination (limited to final applicants for designated positions that are involved in cash sensitive situations, have budget authority, etc. Positions identified by the University with budget control, cash handling or other budget responsibilities include, but are not limited to: VPs, Deans, and positions in the Payroll, Finance, Business, Accounting and Accounts Payable and cash handling positions at the Ice Arena & Katke Golf Course. Upon divisional VP request, other positions also may be subject to the Credit Check). Federal law prohibits discrimination against an applicant due to a bankruptcy.

Purpose: Information obtained will be used in evaluating an applicant's suitability for an offer of employment/transfer/promotion at FSU. In unusual situations in which the background search is not performed prior to the offer of employment, continued employment is dependent upon completion and positive review of the background search results. Negative information obtained from the background check and/or the existence of a conviction does not automatically disqualify an individual from being employed at Ferris State. The information obtained from the background search will be evaluated on a number of factors including, but not limited to:

- the nature and gravity of the offense or offences for which convicted
- the time that has passed since the conviction and/or completion of the sentence
- the nature of the job held or sought

The decision to hire or not hire an applicant, continue employment of a new hire or to transfer/promote a current employee is solely at the discretion of the University.

Falsification of Employment Application: Applicants will be asked to disclose any and all felony and/or misdemeanor convictions on their University employment application. The information provided will be compared to the results of the background search to determine the accuracy of answers as well as truthfulness in disclosure on the application. Falsely answering the questions on the application may result in termination of employment or the application being removed from further consideration.

## II. **Procedure.**

- A. Before a job offer has been made, the applicant must complete and sign a Ferris State University employment application and any required documents that provide authorization for the University to complete the background search. Such authorizations will comply with the Fair Credit Reporting Act. These documents and authorizations may be in paper or electronic format. The hiring department must ensure that the candidate completes the necessary authorization. By signing/approving the authorization, the applicant gives authorization to Ferris State to obtain such information. The final candidate may be required to provide personal information such as date of birth and social security number in order for the background search to be conducted.
  - B. In an unusual situation where a hiring department makes the job offer prior to the completion of the background search or the person begins work prior to the University's receipt of the background report, the department must inform the candidate that a background check will be conducted and the offer of employment is contingent upon review and approval of the information in the background reports.
  - C. HR may authorize the background search to be conducted by a third party company. In addition, HR may also conduct the criminal record search through the ICHAT system available through the Michigan State Police.
  - D. HR will review the results of the background search. If the record contains felony and/or misdemeanor convictions, HR will compare the results with the employment application to verify the applicant accurately disclosed the information. HR will then evaluate the record on a number of factors as indicated earlier in Section I. HR will also consult with the departmental administrator of the hiring department and other University administrative staff as needed.
  - E. If the evaluation of these factors necessitate, HR will discuss with or notify the individual of the results of the background search. The University will follow the requirements of the Fair Credit Reporting Act. If it is determined that the applicant falsified the criminal record search section on his/her employment application, the applicant may no longer be considered a viable applicant or if he/she has already begun employment, may be terminated.
  - F. If the background search reveals information which may be inconsistent with the University's best interests, representatives from HR and other administrative employee(s) will decide on the appropriate course of action, which may include termination/non-hire. Any decision to accept or reject an individual for employment is solely at the discretion of Ferris State University. The University will comply with the provisions of the Fair Credit Reporting Act.
  - G. All background reports are considered confidential and will be maintained in the HR Office in confidential files and/or stored electronically on a secure site.
- III. Issuance of Building Master or Grand Master Keys.

Per the [Key Policy](#) background searches may also be conducted before issuance of certain keys to an employee. The Associate Vice President (AVP) for Physical Plant or designee may request a background search for individuals seeking building master or grand master keys. The AVP for Physical Plant or designee will send the request for a background record search to HR. HR will conduct the ICHAT search and other background searches as may be determined. Employees may need to provide written authorization to conduct these background searches. If the employee refuses to authorize such searches, he/she will not be promoted/transferred into the position. The AVP or designee, HR and other University administrative staff as is deemed appropriate will review and approve the results before the employee is transferred/promoted. If the results of the search conflict with information on the employment application and/or is incompatible with the needs and duties of the position and/or the University, the employee will either be transferred back to his/her former position or may be terminated. The University will comply with the provision of the Fair Credit Reporting Act in conducting these searches and in its actions taken based on these searches.

## **RESPONSIBILITY**

### **Final Applicant/Employee:**

- Provide proper authorization for the University to conduct the background search and provide information as needed to the outside third party which the University may use to obtain background reports.

### **Supervisor:**

- Send the name of the final candidate to HR prior to the offer of employment.
- Notify the applicant that a background search is being conducted.
- Obtain necessary written authorization and information from the final applicant in order for the background search to be conducted.
- In the unusual situation in which a candidate has been hired without the background search being performed, the supervisor must inform the new employee that continued employment is contingent upon successful background search results.

### **Human Resources:**

- Work with the final applicant, the hiring department and the outside companies/agencies in a confidential and professional manner to perform the background search.
- Work with the hiring department to obtain necessary written authorization for the search and information on the final candidate.
- Insure that all federal guidelines are followed, and that the review of the background search is complete.
- Work with the hiring department administrative staff to review the results of the background searches, as needed.
- Pursuant to the provisions of the Fair Credit Reporting Act, provide required information to the applicant if the University decides not to hire the individual as a result of the information contained in the background reports.

Refer Questions To: *The Office of Human Resources.*