

OWENS COMMUNITY COLLEGE  
PROCEDURES

**Pre-employment background checks**

**Board Policy No.: 3358:11-5-51**

**PROCEDURE:**

1) Application:

Owens Community College requires a pre-employment reference check and a criminal background check for all employees, including but not limited to: full-time regular, part-time regular, adjunct instructors, coaches, non-credit instructors, student employees, and rehired employees who have had a break in service of more than one year. Background checks are performed after a candidate has been offered employment. The applicant for the position agrees when completing the employment application that they consent to a criminal background check. All employment offers are contingent upon a satisfactory background check as determined by the College. The College shall utilize a professional firm specializing in background searches and investigations and in a manner in compliance with the Fair Credit Reporting Act.

2) Request for Criminal Background Check:

- a) The Hiring Authority/Supervisor notifies Human Resources (Employment Specialist) and/or the Student Employment Office for student employees, of the candidate's name selected for employment. The Hiring Authority/Supervisor notifies the candidate they will receive an email notification with the Criminal Background Check link. ~~Human Resources~~ Human Resources notifies the Hiring Authority/Supervisor, Vice President of Administration, and/or the Employment Specialist via email, upon receipt of the background check results. If the email states, "Meets Company Standards," the Hiring Authority/Supervisor may proceed with the hire.
- b) If there is a question about the placement of a candidate in a particular position, Human Resources (or the Student Employment Office for student employees) will review the background check results and make a final decision as to employability.
- c) Certain positions at the College, if required by law or contract, may be subject to both Ohio Bureau of Criminal Investigation (BCI), and federal criminal background checks.
  - (1) Applicants being considered for such positions will be asked to submit fingerprints for the purpose of these checks.
  - (2) Individuals employed in certain positions at the College may be required to complete a BCI check periodically.

OWENS COMMUNITY COLLEGE  
PROCEDURES

3) Criminal Background Investigation:

Generally speaking, the College will inquire only about convictions and probation status, if any, and not about arrests unless required by applicable laws.

Although a disqualification is possible in accordance with federal and state laws, a previous conviction does not automatically disqualify an applicant from consideration for employment.

The following factors will be considered for those applicants with a criminal history in determining whether to hire the applicant:

- a) the nature of the crime and its relationship to the position;
- b) the time since the conviction; the number (if more than one) of convictions;
- c) conduct, performance, and rehabilitation efforts since the time of conviction; and
- d) whether hiring the applicant would pose an unreasonable risk to the business.

The applicant will be given an opportunity to review the criminal background check results and submit a response. The response will be reviewed by Human Resources for further consideration and decision of the next step in the hiring process.

A conditional offer of employment may be extended to an applicant prior to the completion of the criminal background check. However, employment is contingent upon the satisfactory completion of the criminal background check. All information attained from the criminal background check will only be used as part of the employment process and will be kept strictly confidential.

4) Pre-employment Reference Check:

- a) A pre-employment reference check may be conducted on a successful job applicant prior to the extension of an offer of employment.
- b) The pre-employment reference check process is conducted to verify the accuracy of job-related information provided by the applicant. Federal regulations prohibit employers from collecting non job-related information from previous employers or other sources. Therefore, the only information that can be collected is that pertaining to the quality and quantity of work performed by the applicant, the applicant's attendance record, education, and other work-related issues. Examples include checks of past employment, education, job-related accomplishments, etc. In order to ensure appropriate data is collected, only the Owens Community College Applicant Reference Check Form (found on HR Intranet) will be utilized to collect job-related data of applicants.

OWENS COMMUNITY COLLEGE  
PROCEDURES

5) Federal Credit Reporting Act:

Owens Community College may collect credit information on applicants consistent with the guidelines set forth by the Federal Credit Reporting Act (FCRA). The Fair Credit Reporting Act requires organizations to obtain a candidate's written authorization before obtaining a credit report. When doing this, the employer must:

- (a) Certify to the consumer-reporting agency that the employer is in compliance with the FCRA and will not misuse the information it receives.
- (b) Disclose to the applicant or employee, on a separate form, its plans to obtain a consumer or investigative consumer report and that the information received will be used solely for employment purposes.
- (c) Obtain written authorization from the applicant or employee.
- (d) Inform the individual of his or her right to request additional information on the nature of the report and the means through which such information may be obtained.
- (e) Inform the applicant that the report will include information about the individual's character, general reputation, personal characteristics, etc.
- (f) Provide the individual with a summary of his or her rights under the FCRA.

If the results of the credit check are negative, the organization must inform the applicant that it plans on taking adverse action, provide the applicant with a Statement of Consumer Rights from the Federal Trade Commission (FTC) before adverse action, provide the applicant the opportunity to review a copy of their credit report, and advise the applicant of their rights to dispute inaccurate information. Applicants should be granted reasonable time to contest the information (approximately 3-5 days). All information attained from the credit check process will only be used as part of the employment process and will be kept strictly confidential.

Effective Date            February 16, 2019

The procedures conform to the policy, amended by the Board of Trustees,  
February 5, 2019.