I. PURPOSE

To establish policy and procedure for conducting background checks on candidates for staff positions within University Hospital.

II. SCOPE

This policy shall apply to all candidates for staff positions within University Hospital.

III. POLICY

A. Individuals to whom this policy applies will be required to have background checks performed. Prior to issuance of a conditional offer of employment, with results deemed acceptable by University Hospital as a condition of employment or continued employment, the HR Generalist will contact the individual to whom a department wishes to make an employment offer. The candidate will be advised that University Hospital is interested in extending a conditional offer of employment, but that the candidate must first pass an initial employment screening. The initial screening is a “Promis Gavel” background search which requires the candidate’s date of birth and all names which have been used by the individual. The candidate will be asked to provide this information.
B. “Promis Gavel” background checks are normally completed within 24 to 48 hours. Upon successful clearance of this screening a conditional offer of employment may be extended by the HR Generalist to the successful candidate. As part of such offer a start date shall be established for the new employee. The candidate will be advised that a second level of background check is required, but that commencement of employment is not dependent upon completion of this check prior to the individual’s start date. Employment may be denied or rescinded based upon the results of this second background check or the individual may be disciplined or terminated if they have commenced employment, depending upon the circumstances.

C. This second level of background check requires that individuals to whom this policy applies must: (1) sign a form authorizing the hospital to have a background check performed on them by a consumer reporting agency engaged by the hospital to conduct such checks (Disclosure & Authorization, Exhibit A) and (2) complete either the University Hospital Background Check for Regular and Volunteer Staff form (Exhibit B) or the University Hospital Criminal Background Check Form (Exhibit C).

D. Background checks shall include, but not be limited to, a Social Security Number trace to confirm past residences, a search of the U.S. Department of Health and Human Services Office of the Inspector General List of Excluded Individuals/Entities (LEIE), verification of present and past employment, employment reference checks, a criminal background check search, and may include a Sexual Offender Registry check. The criminal background search shall involve all levels of criminal offense, all types of adjudications, all legal processes not yet resolved and all types of offenses extending as far back as possible. Additional checks may be required pursuant to hospital programs and contracts.

E. Omission of required information, or false or misleading information provided on the Application for Employment and/or resume, or in any other communication to the hospital by the individual, may result in denial or rescission of an offer of employment, disciplinary action or dismissal.

F. If a background check report reveals information of concern which the hospital may deem unfavorable, Human Resources via the Human Resources Generalist shall provide the individual with a copy of the report and the document “A Summary of Your Rights Under the Fair Credit Reporting Act” (Exhibit D) and require the individual to provide a detailed written description and explanation of the information contained in the report, along with appropriate documentation, specifically police reports. This information must be returned to the Human Resources Generalist within five (5) business days of the date the communication is sent to the individual. The hospital may also independently seek additional information, such as a copy of the original criminal charge, in order to corroborate the individual’s explanation.
G. The hospital, through the Chief Human Resources Officer, Director of Talent Acquisition, Manager of HR Services and the Human Resources Generalist will review the report and the individual’s explanation in collaboration with the hiring department and in some cases, the Office of Legal Management, and will consider such factors as: the nature and seriousness of the offense, the circumstances under which the offense occurred, relationship between the duties to be performed as an employee and the offense committed, the age of the person when the offense was committed, whether the offense was an isolated or repeated incident, the length of time that has passed since the offense, past employment history, evidence of successful rehabilitation and the veracity of the information provided by the candidate in the application materials, disclosure form or other materials. If the hospital deems the background check information unfavorable, or if the individual fails to provide additional documentation as required, denial or rescission of an offer of employment, disciplinary action or dismissal may result.

H. If an individual’s offer of employment is denied or rescinded or if they are disciplined or terminated based on information obtained from a background check report, the individual will be advised of the name and address of the consumer reporting agency that furnished the report, and of the right to dispute the accuracy or completeness of any information contained in the report by contacting the consumer reporting agency directly.

I. If the hospital decides, based upon the individual’s written description, explanation and documentation about information contained in a background check, that the results of the check are deemed acceptable, the individual shall be so informed within five (5) days of the completion of the review by Human Resources.

J. Due to the sensitive nature of the information contained in background check reports, individuals responsible for implementing this policy must take steps to limit disclosure, unless such disclosure is required for a business necessity or by law, and must abide by hospital policies and procedures governing management and disposal of records (see References).

IV. RESPONSIBILITIES

The Chief Human Resources Officer shall ensure compliance with this policy. The Manager of HR Services and Human Resources Generalists shall implement this policy.

V. REFERENCES

Employment Processing Policy – 30-01-20-20:00
Staff Personnel Records – 30-01-20-70:00
VI. EXHIBITS

Disclosure & Authorization Form

UH Background Check for Regular and Volunteer Staff
http://www.uhnj.org/hrweb/forms/UHBackgroundCheckRegularAndVolunteerStaff.pdf

UH Criminal Background Check
http://www.uhnj.org/hrweb/forms/UHBackgroundCheckCriminal.pdf

A Summary of Your Rights Under the Fair Credit Reporting Act