



HUMAN RESOURCES

Policy 40230: Pre-employment Reference and Background Investigation

1.0 Purpose

The purpose of the Reference and Background Check Policy is 1) to perform due diligence in ensuring that we appropriately evaluate candidates' background and suitability for employment at Germanna; 2) to make prudent hiring decisions based upon comprehensive job-related information; 3) to promote a safe environment and protect the welfare of students, employees, and visitors to our campuses; 4) to protect organizational assets including people, property and information; and 5) to verify the identity and credentials of applicants.

2.0 Policy

It is the policy of Germanna Community College to provide a safe and secure learning and working environment for students, employees, faculty, vendors and contractors. To that end appropriate screening of all new employees will be completed.

3.0 Procedures

3.1. Eligibility All new employees (full-time and adjunct teaching faculty, administrative/professional faculty, classified staff, and wage employees), and current employees who are hired into or transfer to classified, administrative/professional and teaching faculty positions at Germanna or another VCCS college on or after July 1, 2007 are covered by this policy, with the following exceptions:

3.1.1. Work-study students/student assistants who will not have access to sensitive IT data or systems.

3.1.2. Employees rehired within 18 months of their last assignment are not required to undergo a background check if a check appropriate to the new position had been previously completed.

3.2. Minimum Reference and Background Check Requirements. The minimum investigation will always include the following:

3.2.1. Professional reference checks to verify the skills, past performance, and the candidate's potential and suitability for employment.

Reference checks from a minimum of three sources are required, to include the most recent employer (for those applicants with work experience). A reference from the most recent supervisor is strongly preferred. The extent of the inquiry will depend upon the requirements of the position and perceptions of risk, with faculty-ranked and

executive positions requiring a more rigorous investigation. Other reference checking strategies can include:

- a. Contacting former professors, teachers, coaches
- b. Asking current references for additional names/contact information
- c. Contacting former colleagues
- d. Social Networking applications

3.2.2. Verification of social security number.

3.2.3. Virginia criminal history and sexual offender registry check.

3.2.4. Verification of academic credentials and professional licensure, as appropriate for the position.

3.2.5. Verify authenticity of reference letters

3.3. Completion of Reference and Background Checks. Reference and background checks shall be completed prior to an offer of employment, however the applicant's first day of work in the position must not be prior to the satisfactory completion of appropriate checks. In some cases, the hiring manager may elect to check references as part of the interviewing process or in cases where multiple candidates are finalists.

3.3.1. Exceptions to this policy must have the joint approval of the Human Resource Manager and appropriate vice president

3.3.2. If an exception is made, the offer letter or Faculty Employment Contract will explicitly state that, "This offer is conditional and will become final only upon receipt of satisfactory results from the College's verification of credentials and other information required by law, regulation, and VCCS policies, including the completion of a criminal history and other background checks. In the event issues are raised in the investigation report that may impact your appointment, this offer and confirmation will be withdrawn."

3.4. Additional Background Checks Requirements. Some positions will require additional background investigations based upon the nature or importance of the position to the college and community. Reasons for additional checks include, but are not limited to, positions that handle significant financial transactions, security sensitive positions, executive positions and other positions afforded a degree of special trust and confidence. Such checks may include the following:

3.4.1. Sensitive Positions: In accordance with DHRM policy and Virginia Code, Va. Code § 2.2-1201.1, each agency must designate positions which are directly responsible for the health, safety and welfare of the general populace or protection of critical infrastructures. These positions are required to have a Virginia criminal history and Federal Bureau of Investigation database check conducted through the Department of State Police, and this check must include also including fingerprinting.

3.4.2. Work and Residence History: Candidates who have resided or worked in a state other than Virginia will undergo a criminal history check on the national level or in the communities where they worked and resided, as appropriate. Such checks should be undertaken in addition to Virginia State Police criminal history checks.

3.4.3. Motor Vehicle History: Motor vehicle record checks should be conducted for positions that involve the operation of a motor vehicle or heavy equipment, or that require a valid driver's or commercial driver's license. Such operators should have

their motor vehicle records checked periodically to ensure that the employee maintains a good driving record.

- 3.4.4. Credit Check: Positions requiring a credit check are those that have access to material levels of cash or negotiable securities; have responsibility or authority for the execution, approval or commitment of financial resources or transactions; responsibility for creating, collecting, or accounting for material levels of accounts receivable; have significant inventory control responsibilities, including the receipt and release of inventory; have access to, or responsibility for the payroll/personnel or purchasing systems, or privileged access to sensitive data or critical data processing systems; have unsupervised access to college, employee, or student property or master key access to facilities or have access to pharmaceuticals or other controlled drugs.
- 3.4.5. Fingerprint Check: Fingerprint checks are required for all security positions, and information technology positions designated as security sensitive, consistent with the requirements of Code of Virginia § 2.2-1201. Fingerprint checks may also be conducted for other positions designated as “sensitive” by the College.
- 3.4.6. Medical/Physical Evaluation: A pre-employment, post-offer, or return-to-work physical may be required for positions that require a certain degree of physical exertion based upon the essential functions of the position in question, or medical qualification requirements (if applicable). Such requirements exist to ensure applicants can perform the essential functions of the job with or without reasonable accommodation, or that they possess the minimum abilities necessary for safe and efficient performance of the duties that characterize the position.
- 3.4.7. Drug and Alcohol Testing: In accordance with the Code of Federal Regulations, all drivers of vehicles requiring a Commercial Driver’s License (CDL) are subject to the pre-employment testing for controlled substances and reasonable suspicion, random, and post-accident, return-to-work testing for the use of controlled substance (drugs) and alcohol.
- 3.5. Current Employee Responsibility to Report Convictions. Current employees must report to their immediate supervisor and office of human resources within five days:
 - 3.5.1 Any drug convictions they receive, whether they are felonies or misdemeanors.
 - 3.5.2 Convictions related to child molestation, indecency with a minor, or other sexual offenses.
 - 3.5.3 Convictions for alcohol related and serious motor vehicle violations, including but not limited to DWI/DUI, reckless driving, evading arrest, hit-and-run, and similar offenses if their duties involve the operation of college heavy machinery equipment or motor vehicles, life safety, security.
 - 3.5.4 Any convictions involving financial impropriety or similar matters for employees who work in positions with fiduciary responsibilities.
 - 3.5.5 The College reserves the right to conduct a criminal background check when circumstances are identified that warrant further investigation for job-related convictions. Results of the background check will normally not affect opportunities for continued employment unless information discovered regarding prior or current convictions leads to a conclusion that the safety of students, clients, and/or co-workers may be compromised. The individual may be reassigned or his/her employment may be terminated.

- 3.6. College Responsibilities.
- 3.6.1. All applicants will be required to complete a Commonwealth of Virginia employment application or submit a résumé as a part of the recruitment process. Exceptions may be made for adjunct faculty positions.
 - 3.6.2. Applicants who submit résumés must complete a state employment application prior to the time of interview.
 - 3.6.3. Advertisements will announce and applicants will be advised that satisfactory reference and background checks are a condition of employment.
- 3.7. Use of Background Check Information. The discovery of either a job-related conviction or falsified conviction information or other information on the application may result in denial of employment. A previous conviction does not automatically disqualify an applicant from consideration from employment within the VCCS.
- 3.7.1. Job relatedness: In making the determination of job-relatedness of convictions, consideration will be given to the 1) nature, 2) recency, 3) frequency, 4) severity of the crime(s), and 5) the age of the individual at the time the crimes were committed.
 - 3.7.2. Other factors: that will impact the decision include the nature of the position for which selected; the relationship that a conviction has to the duties and responsibilities of the position; whether the circumstances arose out of an employment situation; whether the conviction related to harm to others, such as murder, rape, assault, domestic violence, etc.; the nature and scope of position's fiduciary responsibilities; the nature and scope of the position's student, public or other interpersonal contact; the nature and scope of the position's autonomy and discretionary authority; the sensitive nature of the data or records maintained or to which the position has access; the potential opportunity presented for the commission of offenses; the extent to which acceptable job performance requires the trust and confidence of the college or public; and other factors as deemed appropriate.
 - 3.7.3. Withholding Conviction Information: If an applicant fails to reveal any previous job-related conviction, he/she will likely be disqualified from employment in that or any other position within the VCCS for falsification of an application
 - 3.7.4. Final Decision: A decision to not hire, or rescind a previous offer will be made jointly by the human resources manager and the appropriate vice president or president.
- 3.8. Maintaining Information. Any information derived from reference or background checks shall be maintained in the strictest confidence possible. Only essential personnel involved in the hiring process shall be informed, on a need-to-know basis.
- 3.8.1. Colleges must follow the guidelines of DHRM Policy 2.10 and the requirements of the Fair Credit Reporting Act, where appropriate, for conducting background checks.
 - 3.8.2. Information retained in personnel files shall be kept to a minimum, briefly identifying the outcome of the results. For individuals rejected, the file documents will indicate that the offer was retracted because of information obtained through a reference or background check. For the person hired, the file documentation would indicate that the appropriate reference and background checks were conducted and revealed no problem areas related to employment.

4. Definitions

5. References

DHRM Policy 2.10
VCCS Policy 3.3.4

6.0 Point of Contact

Human Resource Manager

7.0 Approval and Revision Dates
January 25, 2010- Presidents Council



Volunteer/Student Intern Assignment Letter

Date:

Dear (volunteer's name):

Thank you for volunteering your services to our department. The following is a summary of your duties and responsibilities:

- *
- *
- *

You will receive training on the duties you will be performing and feedback will be given to you on your performance. As a volunteer, there is no compensation for your services.

Your work schedule will be: _____

Your supervisor is _____ and should be contacted for any questions concerning your service as a volunteer.

Special requirements of serving as a volunteer in our department (such as specific skills the person must possess, driver's license and insurable driving record, dress code, etc.) are: _____

Please review the attached Volunteer Information Sheet which is provided to summarize important policies that govern your volunteer service.

Sincerely,

Name of Supervisor
Title

I have read and understand the above information and I agree to the terms of the duties as a volunteer at Germanna Community College and agree to abide by the policies and procedures of the VCCS, Germanna Community College, and state and federal law.

Signature: _____ Date: _____

Date: _____
Signature of Parent or Guardian (If volunteer is under 18)