



RUTGERS POLICY

Section: 60.9.32

Section Title: Legacy UMDNJ policies associated with Human Resources

Policy Name: Background Checks for Candidates for Staff Positions

Formerly Book: 30-01-20-20:02

Approval Authority: Senior Vice President for Administration

Responsible Executive: Senior Vice President for Administration

Responsible Office: University Human Resources

Originally Issued: 4/22/2010

Revisions: 12/27/2012; 7/1/2013; 2/6/2014

Errors or changes? Contact: policies@hr.rutgers.edu

1. **Policy Statement**
The policy covers Rutgers University employees who are employed within legacy UMDNJ positions.
2. **Reason for the Policy**
To establish policy and procedure for conducting background checks on candidates for Legacy UMDNJ staff positions.
3. **Who Should Read This Policy**
All Rutgers employees who are employed in legacy UMDNJ positions.
4. **Related Documents**
N/A
5. **Contacts**
University Human Resources: 848-932-3020
6. **The Policy**

60.9.32 BACKGROUND CHECKS FOR CANDIDATES FOR STAFF POSITIONS

- I. REFERENCES
 - A. Records Management – 50.3.10
 - B. Governance of University Volunteer Use/Volunteer Processing – 60.9.3
 - C. Staff Personnel Records –60.9.53
- II. POLICY
 - A. Individuals hired into legacy UMDNJ positions will be required to have a background check performed after acceptance of the conditional offer of employment, with results

deemed acceptable by the University as a condition of employment. An offer of employment will not be final and employment not permitted until the completion of the background check with results deemed acceptable by the University. Employment may be denied or rescinded based upon the results of the background check.

- B. Individuals hired into legacy UMDNJ positions must: sign a form authorizing the University to have a background check performed on them by a consumer reporting agency engaged by the University to conduct such checks.
- C. 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), 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 University programs and contracts.
- D. 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 University by the individual, may result in denial or rescission of an offer of employment, disciplinary action or dismissal.
- E. If a background check report reveals information of concern which the University may deem unfavorable, University Human Resources shall provide the individual with a copy of the report and the document "A Summary of Your Rights Under the Fair Credit Reporting Act" 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 University Human Resources within five (5) business days of the date the communication is sent to the individual. The University may also independently seek additional information, such as a copy of the original criminal charge, in order to corroborate the individual's explanation.
- F. University Human Resources Services 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 University Human Resources deems the background check information unfavorable, or if the individual fails to provide additional documentation as required, an offer of employment may be denied or rescinded. Unresolved matters in the background check or delay by the individual in providing additional documentation as required may necessitate postponement of the final decision pending the outcome of the matter, or rescission of an offer of employment.
- G. If an individual's offer of employment is denied or rescinded 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.
- H. If 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 University Human Resources.

- I. 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 University policies and procedures governing management and disposal of records (see References).