

OWENS COMMUNITY COLLEGE  
INTERNAL OPERATING PROCEDURES

**Pre-employment background checks**

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

**PROCEDURE:**

1) Criminal Background Investigation:

Owens Community College requires a criminal background check for all full-time regular, part-time regular, adjunct faculty and student employees. Background checks are performed once a candidate has been selected for employment. The applicant for the position must authorize in writing the background investigation using the College-provided form.

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. Background reports that involve negative information that may influence a hiring decision will be reviewed by a committee consisting of the Chief of Police, the Vice President of Human Resources, the Hiring Authority/Search Committee Chair and Vice President of Student Services (for student workers only). 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 an explanation. However, if an applicant attempts to withhold information or falsify information pertaining to previous convictions, the applicant will immediately be removed from consideration for employment. If an applicant did not disclose a criminal record during the hiring process, and is later found to have such a record, employment may be terminated.

An offer of employment may be extended to an applicant prior to the completion of the criminal conviction check. However, the applicant's first day of work in the position should not be prior to 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.

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- (2) Request for Background Check for New Full-Time, Part-Time Regular, and Adjunct Faculty Employees:
- a) The Hiring Authority/Supervisor notifies the Employment Specialist of the name of the candidate selected for employment. The Hiring Authority/Supervisor notifies the candidate that they must go to the Public Safety Department to complete the background check. Public Safety sends the results to the Hiring Authority/Supervisor and Vice President of Human Resources and Employment Specialist via email. If the email states, “ok”, 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, Public Safety, the Hiring Authority, and Human Resources will review the background report and make a final decision as to employability.
- (3) Request for Background Check for New Student Workers:
- a) For all new student workers and those making a change in assignment/department, the Hiring Authority/Supervisor must email the student applicant’s Name, Department, Position, and Proposed Start Date to:
    - [gentry\\_dixon@owens.edu](mailto:gentry_dixon@owens.edu) Coordinator, Student Placement & Alumni
    - [lynn\\_hoehn@owens.edu](mailto:lynn_hoehn@owens.edu) Coordinator, Job Location & Development
    - [leeann\\_roberts@owens.edu](mailto:leeann_roberts@owens.edu) Processor, Job Location & Development
    - [jennifer\\_northrup@owens.edu](mailto:jennifer_northrup@owens.edu) HR Employment Specialist, Toledo-area Campus
    - [carol\\_mckee@owens.edu](mailto:carol_mckee@owens.edu) HR Administrative Assistant, Findlay-area Campus
  - b) The J.O.B.S. office staff will send the signed authorization for background check to the Owens Safety and Public Safety Department. Public Safety sends the results to the Hiring Authority/Supervisor, HR, and the J.O.B.S. staff. If the email states, “ok”, the Hiring Authority/Supervisor may proceed with the placement.
  - c) If there is a question about the potential placement of a student in a particular position, Security, the Hiring Authority, and HR will review the report and make a final decision.
  - d) If you have any questions regarding Student Workers, please call Gentry Dixon at extension 7617, Lynn Hoehn at extension 7715, Jennifer Northrup at extension 7555, Carol McKee at extension 3585.
- (4) Pre-employment Reference Checks will be administered according to the following guidelines:
- a) Reference checks are conducted on successful job applicants prior to the extension of an offer of employment.
  - b) This process is conducted to verify the accuracy of job-related information provided by the applicant. The Americans with Disabilities Act prohibits 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.

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(5) Federal Credit Reporting Act (FCRA):

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.

**These procedures were developed and implemented by the Vice President of Human Resources.**

Any changes to this procedure must be submitted to the Board Secretary for President's Cabinet review (except changes in contact information).

This procedure conforms to the policy as approved by the Board of Trustees on December 11, 2007, and as filed with the State of Ohio Electronic Rule Filing with the policy effective date of December 22, 2007.

These procedures were updated and reviewed at open forums, 9-15-09 and 9-16-09 to reflect adjunct faculty, title and department names changes.

11-19-09 pj

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**Table 1.** Pre-Employment Checks by Position.

Positions	Reference Check	Background Investigation		
		State	Local	FBI Fingerprinting
Conducted By:	Search Chair or Hiring Authority	Owens Security-Designated Personnel		
		State	Local	FBI Fingerprinting
Full-Time <u>Regular</u> Employees, All	x	x	x	*
Part-Time <u>Regular</u> Employees, All	x	x	x	*
Coaches and Assistant Coaches, All	x	x	x	*
Student Workers/Interns/Fellows, All	x	x	x	*
All positions that work with <u>minor children</u>	x	x	x	x
Temporary/Interim	x	x	x	*
Adjunct Faculty	x	x	x	*

\*If local and/or state check generates any data, follow-up FBI fingerprinting will be conducted. Also, if person has lived outside of Ohio, FBI fingerprinting will be conducted.