



Policy

Title:	Background Checks and Employment Verifications
Effective Date:	April 1, 2018
Approved By:	President's Council
Responsible Party:	Human Resources
History:	July 1, 2015
Related Documents: Recruiting and Hiring Policy; Telephone Interview Form; Reference Check Form; Background Check Forms	

I. PURPOSE

The purpose of this Background Check Policy ("Policy") is to set forth the requirements and processes for background checks and employment verifications that are to be completed on Salus University prospective employees, current employees, and certain volunteers and contractors in order to comply with Federal law and protect employees, students, patients and University assets.

II. DEFINITIONS

1. **Applicants** are current, former or prospective employees who submit information to be considered for positions at Salus University, including individuals not currently employed by Salus University and current Salus University employees seeking promotional or transfer opportunities.
2. **Criminal History check** means the process of obtaining information regarding the applicant's criminal history record in the jurisdiction where the applicant currently resides or works or in any jurisdiction where the applicant previously resided or worked. It also includes conducting a review of federal convictions via fingerprint checks.
3. **Criminal conviction** means being found guilty, entering a guilty plea or pleading no contest to a felony and/or misdemeanors other than a minor traffic violation. Convictions for which the individual's record has been expunged may not be considered.
4. **Education verification** means ensuring that the selected applicant possesses all education credentials beyond high school listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought. Verification of certain education and professional credentials is a necessity to ensure applicants meet the training/education and experience required for the position. The Human Resources Department may elect to verify other information on the employment application forms. When a current employee transfers from another University department, credentials that have been previously verified and documented in his/her personnel file may be exempted from re-verification.

5. **Employment verification** means ensuring that the selected applicant actually worked in the positions listed on the application, resume, or cover letter or otherwise cited by the candidate that qualify the individual for the position sought, as well as all employment during a period of at least 7 years immediately preceding application at Salus. This verification should include dates of employment, positions held and reasons for leaving each position.
6. **Hiring Official** refers to the individual in a University department or program with the authority to make hiring decisions. The hiring official for officer and exempt professional positions is typically a department director or academic department chair/associate dean or Dean. The hiring official is accountable for the personnel actions occurring within a department, college or department.
7. **Professional License/Certification verification** means ensuring that the selected applicant possesses all the professional licenses/certificates listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought and verification of any license/certificate required for the position, including verification of the disposition of such licenses/certificates.
8. **Pennsylvania Child Abuse registry check** means the process of gathering and reviewing history records furnished by the State of Pennsylvania providing information on being an alleged perpetrator in a pending child abuse investigation or a founded perpetrator in a concluded report.
9. **Social Security verification check** means verifying that the social security number is a validly issued number with the year and state issued and identifies names (aliases) and addresses that are historically associated with a given social security number.
10. **Key Leadership and Access Positions** are positions whose responsibilities include one or more of the following:
 - A. Master key and/or access to all, or the majority of, offices/facilities within buildings;
 - B. Direct access to or responsibility for cash, cash equivalents (disbursement or receipt) or University bank accounts;
 - C. Extensive authority for committing the financial resources of the University;
 - D. Officers of the University which include the President, the Chief of Staff, all Vice Presidents, the Chief Information Officer and all other members of President's Council;
 - E. Anyone who works with minors; and
 - F. Anyone who works in a patient care environment.
11. **Minor** is defined as anyone under the age of 18 years.
12. **Employment Reference Check** is information obtained from a current or former employer, preferably the immediate supervisor about a candidate's job knowledge, work habits (dependability/reliability), integrity, ability to work with others, quality and quantity of work, and other factors relevant to specific jobs. See Section II.E.

III. POLICY

The University will conduct appropriate background checks which will include a minimum of two (2) employment references, state and/or federal criminal history checks, credentials verification, employment verification, educational verification, license/certificate verification, social security number verification, and Pennsylvania Child Abuse registry check, on faculty, staff, and volunteers. This includes full time, part-time, temporary and certain student workers (non-work study), as applicable based on specific responsibilities, who are being considered for employment with the University or who are currently employed.

Background checks will be used to evaluate eligibility to be engaged in a work capacity by the University, and will not be used to discriminate on the basis of race, sex, age, color, religion, national origin, disability, genetics, sexual orientation, veteran or any other protected category/status.

The Human Resources Department is solely authorized to conduct and oversee the Background check process. Human Resources may work with law enforcement or contract with outside credit agencies in executing any of the obligations set forth in this Policy. Human Resources is responsible for making decisions regarding what type of Background Check is appropriate, interpreting Background Check records and information, determining whether an Applicant is eligible for employment or continued employment, and for making personnel recommendations to the Hiring Official.

Confidentiality - University departments must treat background check information as confidential personnel information. All University personnel having knowledge of any of the content therein will maintain it as confidential. Public disclosure of background check information is governed by the Freedom of Information Act.

Individuals Covered By the Policy:

- a) All full and part-time faculty members;
- b) The President of the University;
- c) All Officers of the University (“Key Leadership positions”);
- d) All Security Officer positions (“Access position”);
- e) All Physical Plant positions (“Access position”)
- f) Clinical Managers/Administrative positions;
- g) Pre-doctoral and Post-doctoral fellows;
- h) Residents;
- i) Computer/IT Staff
- j) Staff that handle cash or cash equivalents as part of their job duties
- k) Student workers (non-federal work study); and
- l) All support positions situated in and around University clinical facilities.

NOTE: Any employee returning to University employment in one of the above job categories that has a break in service of more than one academic year is subject to applicable background checks.

Current Employees - Current employees who are promoted, demoted, or transferred into one of the above job categories will require applicable background checks.

The University reserves the right to conduct relevant background checks of current employees when it has reasonable grounds to do so, e.g. no prior check was performed,

a workplace incident has occurred, upon self-disclosure of a criminal activity, update of information due to designation as a key leadership, financial or access position, or upon change of assignment.

Other Individuals Engaged by the University – Non-Employees

In addition to the employees listed above, standard or optional background checks must be conducted on certain other individuals as follows:

- A. Individuals Engaged as Independent Clinical Contractors will be required to verify that they possess current applicable background checks before being permitted to perform services for the University. The contractor is responsible for obtaining this information at their own expense and the department hiring the contractor will be responsible for obtaining this documentation from the contractor and keeping it in the hiring department subject to review/audit by the Department of Human Resources.
- B. Individuals Employed by Temporary Employment Services: Temporary employment services such as “temp services” will be required to document that applicable background checks have been conducted on all of their employees. The department utilizing the temporary employment service will be responsible for obtaining this verification from the temporary agency and keeping it in the hiring department subject to review/audit by the Department of Human Resources.
- C. Affiliates/Volunteers/Interns: Departments utilizing volunteers or interns who routinely interact with patients in a clinic will be required to obtain background checks on such affiliates/volunteers. The Department of Human Resources will work with these departments to help them obtain applicable background checks. Verification of a comparable or more extensive background check from an affiliate’s primary employer may be substituted for the background check performed by the University upon approval by the Department of Human Resources.

Exclusions - Members of the University Board of Trustees and other advisory boards are exempt from this policy, except if they serve in one of the above employment categories.

1. Background and Employment Verification Checks

Background and employment verification checks include a number of inquiries into the background of the applicant or current employee (paid or unpaid) and may include any or all of the following based on scope of work, position type, and work location assigned to the position.

- A. Standard Background Check-conducted for individuals covered by this Policy:
 - Criminal Conviction Check - State and Federal
 - Pennsylvania Child Abuse Registry Check
 - Social Security Number Verification Check
 - Employment Reference Check - See below
 - Employment Verification
- B. Optional Background Check - Usually for Faculty and Key Leadership, and Access Positions, or positions which require a professional license/certification:
 - Professional License/Certification Verification

- Education Verification: required for positions requiring a minimum of a bachelor's degree.
 - C. All background checks will be conducted in accordance with the Fair Credit Reporting Act.
 - D. Background checks may only be conducted after a conditional offer of employment has been made. Unless there are extenuating circumstances, an employee should not begin work prior to the completion of these background checks.
 - E. Information obtained on successful applicants will be maintained by the Department of Human Resources as part of the official personnel file.
 - F. Background check information for contractors will be maintained by the department that engaged the contractor's services.
2. Employment Reference Checks
- A. An employment reference check is conducted to obtain information from a current or former employer, preferably the immediate supervisor about a candidate's job knowledge, work habits (dependability/reliability), integrity, ability to work with others, quality and quantity of work, and other factors relevant to specific jobs.
 - B. The Department of Human Resources is required to conduct a minimum of two (2) employment reference checks for all applicants departments wish to employ prior to making an offer of employment.
 - C. In conducting employment reference checks, hiring officials may ask only those questions that are related to an applicant's ability to perform the responsibilities of the position. Questions about an individual's race, sex, color, religion, national origin, genetics, sexual orientation, disability, or any other matter not directly related to the position are prohibited.
 - D. The Human Resources Department is responsible for maintaining records of employment reference checks in a secure manner, and for retaining employment verification information along with other records of the hiring process for a minimum of three years after the date the position is filled.
 - E. Hiring officials must maintain confidentiality of employment related information.
3. Applicant Consent
- A. The employment application authorizes the routine inquiry into an applicant's employment history. Once the employment references are obtained, and a department reaches the final selection stage in the hiring process, the Acknowledgement and Authorization for Background Check form should be completed so that the applicable background checks may be obtained. The Department of Human Resources will coordinate the applicable background checks with the outside vendor before an employment offer is made.
 - B. It is expected that the investigation of an applicant's criminal conviction background may take a minimum of 14 days to complete depending on the state and/or the number of states to be checked for the applicant.
4. Evaluation of Results
- A. The following are among the factors that Human Resources will consider when evaluating the results of the applicable checks:
 - Nature, gravity and number of the offenses or conduct

- The facts and circumstances surrounding the offense or conduct
 - Age at the time of conviction or release from prison
 - The length and consistency of employment history before and after the offense
 - Rehabilitation efforts (e.g. education/training)
 - The nature of the job sought and relevancy of the offense to the position
 - The nature and extent of credit history problems
 - The nature and extent of employment history issues
 - Professional license/certificate issues and disputes
- B. A previous criminal conviction does not automatically disqualify an applicant from consideration for employment with the University provided such conviction is divulged as required in the application process.
- C. In accordance with PA Act 153, a complete list of offenses that would bar an individual from employment can be found on the Pennsylvania Department of Education website.
5. Consequences of Falsification
- A. When falsified criminal conviction histories, employment histories, educational credentials or licenses/certificates are discovered prior to employment or transfer, a job applicant will be disqualified from further consideration.
- B. For current employees, confirmed falsification of criminal history, required educational credentials or professional licenses/certificates will result in disciplinary action and/or termination of employment.
6. Applicant Rights
- A. Before an adverse action is taken based upon background check information obtained from the University's vendor, The Human Resources Office will contact the individual to discuss the findings. In addition, the applicant or current employee will receive a written pre-adverse action notice that includes a copy of the outside vendor's report and a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act." An applicant/current employee will be provided an opportunity to inform Human Resources of additional information that he/she believes should be considered or clarified regarding the outside vendor's report.
- B. If the University takes adverse action based upon information in the outside vendor's report, the Human Resources Employment Office will send the applicant an adverse action notice containing information required by the Fair Credit Reporting Act.
- C. If the applicant disputes the results of the public record information, the applicant is directly responsible for contacting the reporting authorities for the correction of any erroneous records.
7. Employee Self-Disclosure Requirements
- A. Criminal Conviction or Felony Charge - All current employees are required to self-disclose post-employment criminal convictions or felony charges filed against them that occur on or after the effective date of this Policy within three (3) business days of the conviction or felony charge to the Human Resources Department. Employees failing to self-disclose may be subject to disciplinary action, up to and including termination.

Salus University Background Check Policy –Appendix A

Position	PA Child Abuse Check	Criminal Background Check	FBI Fingerprint
President	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Officer/Access Positions*	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
All Faculty	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Independent Clinical Contractors	X (start of contract and every 5 years)	X (start of contract and every 5 years)	X (start of contract and every 5 years)
Resident	X (upon hire)	X (upon hire)	X (upon hire)
Clinical Managers	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Patient Representative	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Other Support Staff** working in Clinics	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Physical Plant Staff (Custodian & Maintenance staff)	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Computer/IT staff working in clinics	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Other Computer/IT Employees		X (upon hire and every 5 years)	
Cash/Cash Equivalent Handling Positions	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Institutional Services Clerks	X (upon hire and every 5 years)	X (upon hire and every 5 years)	X (upon hire and every 5 years)
Security Officer	X (upon hire and annually)	X (upon hire and annually)	X (upon hire and annually)
Volunteers/Interns*** (working in Clinics)	X (upon hire)	X (upon hire)	X (upon hire)

- *** Bursar, Financial Aid, Accountant, Controller, Budget Manager, Institutional Advancement/Fundraising Staff**
- **** Optometric Technicians, Ophthalmic Repair Technicians, and Medical Records Clerks, Mobile Unit Driver.**
- ***** It is assumed that volunteers and interns would not work for the University longer than a period of one year. Therefore, no need for annual re-checks.**

NOTE: Temporary and Contracted Staff in any of the above positions are required to have the appropriate background checks based on position conducted by their employment agency within 120 days prior to the start of work with the University.