

BACKGROUND CHECKS FOR EMPLOYEES

Frequently Asked Questions

Why does NC State conduct employment background checks?

The University is committed to providing a safe and secure environment for students, faculty, staff, visitors and other constituents and to protecting its funds, property, and other assets. Well-informed hiring decisions facilitate this effort.

Who is subject to a background check?

- The final candidate for any temporary appointment (other than student positions where work is incident to the individual's status as an NC State student)
 - The final candidate for any regular or time-limited faculty position; non-faculty administrator/professional position; staff (including time-limited) position; and post-doctoral position
 - includes current NC State and other state agency or university employees who are final candidates for NC State positions, whether new hires or transfers
 - Current employees who assume new duties that cause their current position to become appropriate for a background check
 - For example, an employee may assume duties that give access to cash or other financial assets or accounts, duties that require driving, or duties that provide additional facility security access.
 - Visitors or no-pays – individuals who are set up in the HR/Payroll system for administrative reasons but who are not employees, are not subject to checks unless they move into employment status. "No Pay" individuals can be checked at the department's request if access or security issues warrant such.
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If a lecturer or adjunct faculty member teaches every Fall, for example, but doesn't teach in the Spring or Summer, is a new background check required each year?

As long as the break between start dates of the semesters in which they teach is no longer than a year, a new check is not required.

Are all students exempt from checks?

Departments are not required to conduct checks for NC State students if their employment is “incidental to” their primary role as a student – such as grad assistants or work-study students. Students can be checked at the department's request if access or security issues warrant such. If a student graduates -- or doesn't re-enroll – but the department wishes to continue their employment, the “temp/student” assignment must be terminated, and they must be re-hired as “temporary staff.” Such re-hires require background checks.

An individual whose primary purpose for being at NC State is to work as a temporary or regular employee -- even if they are also registered for one or more classes -- is considered an “employee” and is subject to a background check.

If NC State has recently conducted a background check on a candidate, is another required for a new assignment?

In order to determine if a “current check” is on file, the candidate must submit a background check release form (so HR can determine if a check is on file for the same person), plus either an application form (SPA/Temp) or a CV/resume (EPA). If a check has been conducted in the last six months, that check may be used, and the Background Check Program will notify the hiring unit of results.

Is an individual who transfers from another State agency or another institution in the UNC System required to have a check?

Finalist candidates from other agencies or universities must be checked.

What types of background checks are conducted?

Criminal history checks -- including NC statewide, nationwide federal, and nationwide sex offender -- are conducted for all candidates. Motor vehicle related convictions (such as DUI convictions) appear on these records. Checks are also conducted in other states or countries of residence.

Credit checks -- are conducted for positions with access to, or responsibility for, cash receipts, cash accounts, blank checks, checking accounts, or money market accounts. Credit checks are also required for positions that initiate accounting/financial transactions that are not reviewed or verified by others; positions that have override authority for spending, receipting, HR, or billing transactions; and positions designated as Dean, Director, or Department Head. Current employees who assume these types of duties are also subject to credit checks.

Driving records checks -- Motor vehicle checks (e.g., to verify a valid license and review driving history) are conducted for positions that require the candidate to drive a state vehicle as a regular part of their job or when a dedicated vehicle is provided to the employee for the purpose of conducting University business.

Does a candidate have to give permission for a check to be conducted?

Yes. SPA/Temporary applications -- and EPA "Profile" sign-offs -- include the individual's authorization for HR to run background checks. Candidates also complete and sign a Background Check Disclosure and Release form in compliance with federal guidelines.

If a candidate declines to give permission or fails to give all the information required for HR to run a check, no check will be conducted. A person who fails to give permission or does not provide all the information needed cannot be employed since checks are a condition of employment.

Who should get the completed Disclosure and Release Form from the candidate? The hiring department or HR?

The hiring department should fill out the first section of the form and send it to the candidate. The candidate must return the form directly to the HR Background Check Program office in one of four ways:

Fax (preferred method): 919-513-0274

Email: Background_checks@ncsu.edu.

US Mail: Background Check Program, Human Resources, Campus Box 7210, Raleigh NC 27695-7210

Hand Delivery: Human Resources, Admin Services Bldg II, 2711 Sullivan Drive

Departments should **not** request or keep copies of the Disclosure and Release form.

How long does it take to get the results of the check?

Results are usually obtained within 72 hours; however, if multiple states of residence are involved, it may take longer for the results to be returned.

International checks typically take several weeks. The candidate will be endorsed for work once the Background Check Program completes the stateside and federal background checks. An “endorsement” email will be sent to the hiring department stating that the applicant is endorsed for employment, but that continued employment is contingent on a successful international check.

May a candidate start work before the check is complete?

Candidates may NOT commence work until background checks are completed, except that in an emergency hiring situation—such as filling a vacancy to perform critical work or to ensure campus safety—the Associate Vice Chancellor for Human Resources or designee may make an exception and allow an employee to begin work prior to completion of the check. If an exception is desired, the hiring supervisor must send an email explaining the need for the request to background_checks@ncsu.edu.

Does a previous criminal conviction disqualify an applicant from consideration for employment?

A previous conviction does not automatically disqualify a candidate. Eligibility for employment depends on a variety of factors such as the nature of, and circumstances surrounding, the crime; the time elapsed since the conviction; the actions and activities of the individual since the crime including their work history; the truthfulness and completeness of the candidate in disclosing the conviction; and the relevance of the conviction to the job.

Do current employees need to report new convictions?

Current employees who are convicted of a criminal offense are required to report any conviction to their immediate supervisor within 5 days of the conviction. The immediate supervisor must notify HR who will conduct a background check to confirm the information that was disclosed. Convictions

include guilty verdicts, guilty pleas, “no contest” pleas, and prayers for judgment continued (PJC).

Can the results of a background check affect an employee’s current job even if the check was conducted for transfer purposes?

If the current employee is discovered to have falsified information on current or previous applications -- or if the results of the background check are relevant to current duties -- action will be taken, up to and including termination of employment.

What information do candidates need to disclose on the application and release form?

Basically: The truth, the whole truth, and nothing but the truth.

Candidates must disclose all convictions for unlawful offenses. This includes **but is not** limited to DUI/DWI, worthless checks, violations of local ordinances or statutes that resulted in a fine or incarceration, misdemeanors, felonies, etc. Guilty verdicts, guilty pleas, prayers for judgment (PJC) and pleas of nolo contendere (no contest) must be included. For example, convictions include not just “serving jail time,” but also paying fines or restitution.

Candidates do not need to list things for which they have court documentation that the conviction(s) has been sealed or expunged.

The best bet is to list everything, even if the candidate thinks the incident was minor. If a candidate is unsure of his/her record, copies of criminal background records can be secured from the county(ies) where the incidents happened (such as the Wake County Courthouse). Driving records can be secured from the Department of Motor Vehicles.

What traffic violations should be included?

Minor traffic offenses such as parking tickets, registration violations, inspection violations, speeding less than 15 miles an hour over the speed limit, etc. do not need to be reported. Major offenses **MUST** be reported and include but are not limited to: DWI, DUI, reckless driving, speeding more than 15 miles an hour over the speed limit, etc. If a candidate is unsure of what to include, it is better to include everything.

What happens if a candidate does not disclose all conviction information?

Falsification, including misrepresentation or a failure to disclose information (omission) as part of the application process or on the release form, disqualifies a candidate from employment. It does not matter if the falsification was intentional or not. Current employees may be subject to dismissal.

How does the hiring department know the outcome of the check?

HR will communicate one of three outcomes to the hiring manager: 1) employment endorsement, 2) disqualification based on falsification of application or release form information, or 3) a non-endorsement based on the background check facts as they relate to the position.

How does the candidate know the outcome of the check?

If the check is clear, the hiring department will contact the candidate to finalize the employment offer and establish a start date. If the candidate is disqualified or employment is not endorsed, HR notifies the candidate in writing in accordance with federal guidelines. The hiring department withdraws the job offer.

Can the candidate get a copy of the background check results?

If adverse action is taken due to results of a check, HR provides written instructions to the candidate regarding how they can obtain a copy of the record.

Will Human Resources audit to make sure departments are complying with the background check regulation?

HR compares hiring activity with background check activity to determine if departments are complying with the requirement. If hiring units are found to be out of compliance, administrators will be notified so that corrective action can be taken.

Who has access to the background check records?

The individuals in HR who facilitate and manage the Background Check Program have access and maintain the information in a confidential manner. Selected information may be shared with a hiring manager as appropriate and relevant to ensure they make an informed hiring decision.

What additional documents are needed when submitting a Disclosure and Release form?

An application, CV, or resume is required. The PIF is not a replacement for these documents. If the candidate applied for the vacancy being filled via PeopleAdmin, the Background Check Program will obtain the application from the system.

Do volunteers need to be checked?

Individuals who work or volunteer as part of a University-sponsored program or summer camp that is offered to pre-college age minors are subject to background checks, even if the individual is not on payroll. North Carolina public school teachers who work or volunteer do not require an additional check since they are checked in the course of their regular employment.

Who do I call for more information?

Contact the Background Check Program office at 513-2283 or email background_checks@ncsu.edu.

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