

Employment References and Background Checks

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Introduction

The university's employees are essential to advancing the institution as a place to learn and work. It is necessary to consider both the quality and suitability of potential employees in order to further the institution's mission. The decision to hire an employee begins with an informed assessment. Experience shows that many serious problems—the worst of which involve violence or significant legal liability—can be avoided when determining whom to hire.

This policy establishes the expected level of employment background investigation, reference checks, confirmation of academic credentials and licenses, and investigation of criminal and credit histories. [top](#)

Policy Statement

Scope

This policy shall apply to hires made through regular recruitment procedures, through an emergency hire, or through waiver or exception. When a search committee is used, the hiring department, in consultation with University Human Resources, shall be responsible for ensuring this policy is followed. When a search firm is used, the hiring department, in consultation with University Human Resources, shall require that the firm comply with the intent of this policy.

There are some job families on campus that are not covered by this policy for purposes of criminal history investigations or credit history investigations or for reference checks. This policy sets the minimum standards for verifying that a prospective employee is qualified and suitable for employment with the university.

This policy supplements and does not replace any law, regulation, contractual obligation, or separate policy that requires employment verification and background investigations for new hires. For example, if a separate law, regulation, contract, or policy requires employment verification for specific positions or individuals (such as daycare providers), this policy shall not apply to those positions although the tools and resources are nonetheless available to the hiring department. [top](#)

Contingent Job Offers

All offers of employment, oral and written, are contingent upon the university's verification of credentials and other information required by federal and state law and university policies/procedures, and may include the completion of a criminal history investigation and/or a consumer credit check. [top](#)

New hires should not begin to work until reference checks, confirmation of academic credentials, licenses and/or certifications, and credit checks as applicable are completed.

Certain hires (such as temporary and seasonal) may begin work once they have initiated the background check but prior to the completion of the criminal history investigation. For all other covered positions, approval must be provided by as approved by University Human Resources in consultation with the Office of General Counsel.

Professional and Scientific staff may begin work prior to confirmation of academic credentials as approved by University Human Resources.

Definitions and Application

Any position means any covered or non-covered position at the university, regardless of appointment type or term and including student and temporary positions.

Covered positions means all regular, full-time, and part-time positions, whether regular or regular with term, including the following employee groups:

- Contract
- Faculty
- Merit
- Professional & Scientific
- Emergency
- Residents/Interns
- Locum Tenens
- Postdoctoral Scholars

Temporary and Seasonal

Note that the following groups are not covered by this policy: graduate and undergraduate students. However, because this policy sets only minimum standards, there may be situations in which a department needs to include these individuals. In those situations, departments shall consult with University Human Resources to discuss including these individuals. [top](#)

External candidate means a person not currently employed by the university in a covered position.

Finalist(s) means the applicant(s)/person(s) selected for interview.

Selected candidate means the person selected for hire, subject to satisfactory employment references and background checks through this policy. [top](#)

Rehire means the person selected for hire was previously employed by the university and has had a break in service.

For the purposes of this policy, **rehires** who have had a break in service of 12 months or longer, or who had not had a background check conducted previously, would be subject to a background check at the time of hire. Background checks are conducted on the selected candidate(s) only. All offers are contingent as described herein.

Reference Check means contacting a selected candidate's former employers, supervisors, colleagues, or other individuals to obtain information about the candidate's knowledge, skills, abilities, and character.

Criminal History Investigation means review of a selected candidate's history to determine criminal misconduct that may impact employment performance.

Disclosure of Criminal Convictions and Prior Discipline

External candidates for a **covered position**, when selected, shall complete a disclosure statement through the background check vendor, which may include previous convictions, education, credentials, and/or credit checks. Disclosure of negative information is not an automatic bar to employment. All relevant factors and circumstances will be considered. However, falsification, misrepresentation, or omission of information on the disclosure statement is a legitimate reason to deny or terminate employment.

Reference Checks

University Human Resources will check references for covered positions, excluding temporary and seasonal hires, to include both internal and external candidates selected as finalist(s), or, at a minimum, the selected candidate(s). However, for faculty hires, the hiring department shall check references of the finalists or, at a minimum, the selected candidate(s). Departments are also encouraged to check references for **any position**, including student and other temporary hires, when appropriate and possible. See Resources below for information on checking references. [top](#)

Confirmation of Academic Credentials, Licenses, and Certifications

University Human Resources shall confirm the academic credentials of the finalist(s), as requested, or, at a minimum, the selected candidate for **any position** for which a degree is required. At a minimum, this shall include Professional and Scientific, Postdoctoral Scholars, Residents/Interns, Locum Tenens, Merit, and Faculty.

For **any position** at the university that requires a license or certification, University Human Resources shall confirm that such license or certification is current and in good standing at the time of hire. For motor vehicle licenses, University Human Resources will conduct the review at the time of hire in collaboration with risk management and transportation services. [top](#)

Criminal History Investigation

As part of the hiring process, University Human Resources will arrange for a criminal history investigation on the external selected candidate for all **covered positions**. The purpose of this investigation is to determine the candidate's suitability for employment in light of past criminal convictions. University Human Resources will be the recipient and holder of such information and will share the results only with the hiring authority and other necessary personnel.

Pursuant to the Fair Credit Reporting Act, the university, through the background check vendor, will notify the candidate if negative information is revealed that may impact the hiring decision, and will provide a copy of the results to the candidate.

A criminal conviction is not an automatic bar to employment. The university will consider the recency, severity, frequency, and nature of a conviction, as well as its relevancy to the position. Other factors may include the candidate's role in the crime, the candidate's actions and activities since the crime, including rehabilitation or restitution, work history, truthfulness and completeness of the candidate's disclosure of convictions, and any other relevant information.

University Human Resources shall review any negative results relevant to the position and may consult with necessary personnel as part of that review, which may include the Office of General Counsel. The vice president for University Human Resources, or designee, shall make a recommendation to the hiring department.

University Human Resources is the only authorized unit to conduct criminal history investigations for new hires or rehires unless an exception is approved by University Human Resources. These exceptions typically relate to other regulations requiring a unique entity to conduct a review given regulations that require such a review (e.g. Police Officers).

The application website will indicate for covered positions that the selected candidate will be subject to a criminal history investigation. [top](#)

Credit History Investigation

Some positions may require a credit history to determine if the prospective employee is a suitable hire given the nature of those positions, including access to or accountability for university funds or other cash, financial assets or accounts. Employees hired into administrative positions (i.e., chairs, directors, deans and higher) will be subject to a credit history. Credit histories for non-administrative positions will be necessary when required by a contractual obligation, policy, law, or regulation. In any of those situations, the hiring department shall work with University Human Resources to arrange for a credit history investigation on the finalist(s) or, at a minimum, the selected candidate for all positions for which a credit history is required.

Pursuant to the Fair Credit Reporting Act, the university, through the background check vendor, will notify the candidate if negative information is revealed that may impact the hiring decision, and will provide a copy of the results to the candidate.

A negative credit history is not an automatic bar to employment but will be considered along with factors such as the nature and seriousness of the credit history and relevancy to the position in question. University Human Resources will be the recipient and holder of such information and will share the results only with the hiring authority and other necessary personnel.

The application website will indicate for covered positions that the selected candidate will be subject to a credit history investigation. [top](#)

Optional Steps

Hiring departments are not prohibited from using additional means of verifying a candidate's qualifications and suitability for employment in addition to those identified in this policy. However, collection of information must be done in a way that complies with the Fair Chance to Compete for Jobs Act. Some common practices may include speaking with former employers or colleagues of the applicant who were not listed as references but who are known to the department (off-list

references), or reviewing the candidate through electronic news or information resources. Finalist(s) shall be notified should off-list references be conducted.

Although such practices are not prohibited, caution must be used in these situations to ensure the information is reliable and accurate. For instance, not all electronic information is objective or verifiable, just as personal biases of former co-workers may not be professionally relevant. In addition, such optional steps shall be used in the same manner for all similarly-situated applicants for the position. [top](#)

Confidentiality

The background check vendor maintains the records of the checks performed. Information in connection to background check results will be treated with discretion and only disclosed as necessary. Retention will be maintained in accordance with university retention standards and state and federal regulations (see Resources below).

Non-Discrimination

Employment references and background checks will be used only to determine the candidate's qualifications and suitability for employment and will not be used to discriminate against any candidate on a basis protected by law or Iowa State University policy. [top](#)

Resources

Links

- [Appointment Authority Policy](#)
- [Hiring and Employment Policy](#)
- [P&S Recruitment and Selection Policy](#)
- [Employee Records Policy](#)
- [Non-Discrimination and Anti-Harassment Policy](#)
- [Discrimination and Harassment website](#)
- [Tools for Employing Units](#)
- [Resources for Job Seekers](#)
- [University Human Resources \[UHR\]](#)

Files

- [Checking References \[PDF\]](#)