Background Check Survey Questions/Answers

**Question:** Who designates positions as “critical.”

**Answer:** The University has established criteria to assist in the identification of critical positions, however, the ultimate decision for identifying critical positions rests with each department.

**Question:** What is included in a background check?

**Answer:** Background checks include confirmation of a candidate’s identity, review of a candidate’s criminal conviction record, if any, verification of any license, certificate or degree required for appointment, and review of the candidate’s motor vehicle record if appropriate for the appointment.

**Question:** Are academic personnel included or should they be?

**Answer:** Background checks as defined in this study are not conducted on academic personnel as part of their academic appointment with the University. Although rare, certain grants may require extensive background investigations to be conducted on academic personnel. These typically are grants dealing with top-secret research.

Academic personnel, as part of their initial review, must go through an extensive work-related review. They are required to submit documentation from peers in their field certifying their abilities. They must provide data that lists everything about themselves including credentials and publications.

**Question:** Are residents and physicians covered by the background check policy?

**Answer:** Generally no, residents and physicians are academic employees and are treated similarly to academic personnel. See prior answer.

**Question:** What are the costs to conduct a background check and who pays for it?

**Answer:** The cost for background checks range between $50 - $100, not including employment verification (reference checks). The hiring authority assumes these costs.

**Question:** How long does a background check take?

**Answer:** A background check, coordinated through HR, can take three days-to-one-week, depending on extent of search.

**Question:** Should fingerprinting be included as part of the background check procedure?

**Answer:** It depends. Fingerprinting is only required for employees in law enforcement and positions that have unsupervised access to children. It is neither necessary nor recommended that any other departments obtain fingerprints from employees. Adequate criminal history information can be obtained by use of the employee’s social security number.

**Question:** Direct contact with minors needs to be clarified.

**Answer:** Background checks are required on applicants, employees, or others who have unsupervised access to a child entrusted to their care. A “child” is defined as a person under the age of 18.
**Question:** Are those employees who have access to controlled substances and hazardous waste materials such as physicians, pharmacists, EH&S techs, RNs, checked?

**Answer:** Access to controlled substances and hazardous waste serves as one of the criteria in the definition of a critical position that any applicant for a position holding this job requirement would be required to undergo a background check. However, academic positions such as physicians and pharmacists do not fall within the University’s procedure on background checks.

**Question:** Can we conduct background checks on “potential” CX employees before they are hired?

**Answer:** Yes, if the position is designated as “critical”.

**Question:** What happens if a background check reveals something negative?

**Answer:** Negative information which is directly related to the job the employee or the applicant will perform will be reviewed on a case by case basis. The Employment Unit in conjunction with Consulting and Labor Relations will review this information and make a recommendation. The decision to move forward is the responsibility of the hiring department.

**Question:** What do you communicate to the applicant if you decide not to hire them because of the results of their background check?

**Answer:** Communication with the applicant will be coordinated through Human Resources. An appropriate response will be determined based on the results of the background check.

The applicant may request a copy of the background check directly from our vendor. If the applicant disputes the accuracy of the information, your Employment Representative may authorize a second check to verify the accuracy of the information. In that case, the intended action is placed on hold until the disputed information is verified.

**Question:** What is the process for initiating a background check?

**Answer:** When initiating a recruitment, the hiring department will indicate on the requisition that the position is critical and, therefore, subject to a background check. The job posting on the Employment Opportunities Bulletin will also advise applicants that the final candidate is subject to a background check.

Employment offers are made contingent upon successful completion of a background check. Upon identification of your final candidate, your Employment Representative will either provide the appropriate release form to you or directly to the applicant, at your option. Once the release form has been returned to HR, it will be forwarded to the vendor to begin the background check. The background check cannot begin without the signed release form.

**Question:** Can I state in my job advertisement that a background check will be required?

**Answer:** All recruitment information for critical positions should have the appropriate language stating that a pre-employment check will be conducted; that employment is conditioned on successful completion of the check; and that the employee will be released if the employer is not satisfied with the results of the background check.

**Question:** How will doing a background check impact my hiring process?

**Answer:** You will need to factor some additional time in your recruitment schedule to accommodate the background check. By working with your Employment Representative at the outset you can make the necessary adjustments to ensure that your recruitment is completed as quickly as possible.
**Question:** Who do I contact to request a background check?

**Answer:** By indicating on the requisition that the position you’re recruiting for is critical, you are letting your Employment Representative know that a background check is needed. If this information is not on the requisition, you should contact your Employment Representative as soon as possible.

**Question:** How will I know when the background check is completed?

**Answer:** Your Employment Representative will contact both you to let you know that the background check is complete.

**Question:** Who maintains the results of the background check?

**Answer:** Human Resources serves as the Office of Record for any records or information generated by background checks. The materials will be maintained in accordance with state and federal laws as well as university policies and procedures.

**Question:** What is UCI’s liability for not doing background checks?

**Answer:** Non-compliance with the background check policy increases the business risks and potential costs to the University. Negligent hiring and/or retention claims can be brought against the University if someone is in some manner injured by an employee where the University knew or should have known that the employee had a background that would preclude his or her hire into the job.

**Question:** What is the recourse if I hire someone new to UCI before the background check is completed and then the report comes back negative?

**Answer:** In this situation, assuming worst case, the employee would be let go. All offers of employment for critical positions should be made contingent on the results of the background check with the understanding that the employee will be released due to an unfavorable background check.