



## ***Criminal Background and Financial Credit Check Policy***

<b>Policy #:</b>	HR010.1
<b>Policy Type:</b>	University
<b>Responsible Executive:</b>	VP for Business Affairs
<b>Responsible Office:</b>	Human Resources
<b>Originally Issued:</b>	July 8, 2008
<b>Latest Revision:</b>	May 26, 2021
<b>Effective Date:</b>	May 26, 2021

### **I. Policy Statement**

The University of Louisiana at Monroe (ULM) recognizes that hiring a new employee is an important responsibility. ULM understands that employing the best people and providing a safe and secure workplace is a priority for the University community.

### **II. Purpose of Policy**

The purpose of this policy is to provide procedures and guidelines for conducting criminal background and consumer credit reports for faculty and staff at the University, as well as applicants for employment. The process of conducting criminal background and consumer credit reports is intended to create and sustain a safe environment for all members of the University community.

### **III. Applicability**

This policy applies to new employees and current classified and unclassified staff and faculty, student workers, graduate assistants, and temporary employees.

### **IV. Definitions**

**Adverse Employment Action** – for purposes of the Fair Credit Reporting Act (FCRA), constitutes a denial of employment or any other decision for employment purposes that adversely affect any current or prospective employee.

**Financial Personnel** – includes Vice President for Business Affairs, Director of Budget, Controller, Associate Controller, Assistant Controller of Receivables, Assistant Controller of Payroll

**Information Technology Personnel** – includes Director of Information Technology, Web Application Programmer, Enterprise System Specialist, Programmer Analyst, Associate Director of Enterprise Applications, IT Security Officer, Senior Web Developer, Associate Director of IT Projects/Web Services, Enterprise System & Security Manager

### **V. Policy Procedure**

ULM will conduct criminal history checks through an appropriate vendor for newly hired classified and unclassified staff and faculty as part of the hiring process and current employees transferred, promoted or reassigned to a different position if a background check has not been conducted within the last 12 months. Student workers, graduate assistants, and temporary employees may have background checks completed upon request of the Department Head or designee.

Financial credit checks will be conducted for key **information technology personnel** and **financial personnel**. Student workers, graduate assistants, and temporary employees who handle large amounts of cash or handle numerous transactions involving cash as part of their job duties as

determined by Department Heads or designees will have credit checks completed upon request of the Department Head or designee.

An offer of employment shall be made contingent on the completion of a criminal background check and/or consumer credit report, if applicable. In case of an immediate hire, an offer of employment may be made prior to completion of the background check and/or consumer credit report with approval of the appropriate Vice President. However, continued employment is always contingent upon a satisfactory background check and/or consumer credit report. Background checks and/or consumer credit reports revealing misrepresentations may be grounds for immediate rejection of the application. If the individual is a current employee, his or her suitability for continued employment will be evaluated.

The Human Resources Department will request new hires to complete and sign the "Consent and Disclosure Form" electronically through our background check provider. Any applicant or employee who refuses to provide a signed consent form will be ineligible for consideration for the vacant position or continuation of employment.

The Human Resources Department will notify the hiring authority of the results. Only designated ULM employees may initiate and receive results of background checks and/or consumer credit reports. Results of all background checks and/or consumer credit reports shall be kept confidential and will not be disclosed except to the extent necessary to administer and enforce this policy.

### **Adverse Employment Actions**

**Adverse employment** decisions based on criminal history or consumer credit information must be made based on exclusions that are job related and consistent with business necessity. Consideration must be taken and documented as to (1) the nature, gravity, and number of convictions, (2) the time that has lapsed since the offense, (3) the relevance of a criminal conviction to the job, and (4) the relative threat to the security of ULM or its employees and students. Additionally, any candidate for employment of employee who will be excluded based on information contained in a criminal history or consumer credit report must be provided an opportunity to show why he or she should not be excluded.

In the event that an **adverse employment action** is to occur, including but not limited to a failure to hire, promote, or terminate employment for information contained in a consumer credit report, the individual must also be provided a copy of the relevant report as well as a copy of A Summary of Your Rights Under the Fair Credit Reporting Act.

Pursuant to the Fair Credit Reporting Act, an Adverse Action notice will be provided to the applicant or employee after any adverse action is taken as a result of an unfavorable report for the purpose of allowing the individual an opportunity to review the report. The Adverse Action Notice will include:

- The name, address, and phone number of the consumer reporting company that supplied the report;
- A statement that the consumer reporting company did not make the decision to take the adverse action and cannot give specific reasons for it; and
- A notice of the individual's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and obtain an additional free report from the company within 60 days, if requested by the date of adverse action.

## Screening Process

The background screening can include, but is not limited to, the following investigation results:

- Social Security Number and Address Verification – verification of the individual’s social security number and addresses lived in the last seven (7) years. This search may reveal use of multiple SSNs and/or aliases.
- Parish/County Criminal History Search – searches criminal history of counties and/or parishes in which the individual has worked, attended school, and/or resided (if different from the county/parish in which the employee worked) within the last seven (7) years. All felony convictions, misdemeanor convictions, and related activity on record (including open arrest warrants or charges for failure to appear in court) are included.
- National Criminal History Search – searches criminal history in a national database within the last seven (7) years.
- Sex Offender Register – searches the sex offender database register for any state in which the individual has resided in the last seven (7) years.
- Consumer Credit Report – contains information about the individual’s current and previous financial history. Reports include information regarding trade accounts with negative action (write-offs, bad debt, collections, foreclosures, repossessions), and public records (civil judgments, tax liens, bankruptcy).

## VI. Enforcement

Human Resources will conduct and review all background and credit checks. Human Resources will notify the hiring authority of the results to determine if an **adverse employment** decision based on criminal history or consumer credit information must be made.

## VII. Policy Management

The Vice President of Business Affairs is the Responsible Executive accountable for the management of this policy. The Department of Human Resources is responsible for maintaining this policy.

## VIII. Exclusions

N/A

## IX. Effective Date

The effective date of this policy is the date it is adopted and signed by the President.

## X. Adoption

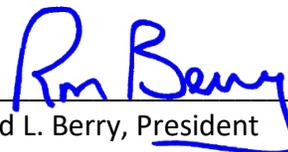
This policy is hereby adopted on this 26<sup>th</sup> day of May, 2021.

Recommended for Approval by:

Approved by:



Dr. Bill Graves, Vice President for Business Affairs



Dr. Ronald L. Berry, President

## **XI. Appendices, References and Related Materials**

[A Summary of Your Rights Under the Fair Credit Reporting Act \(ftc.gov\)](https://www.ftc.gov)

## **XII. Revision History**

Original adoption date: July 8, 2008

Revised March 27, 2012

Revised August 1, 2013

Revised May 26, 2021: Revisions include combining the Criminal Background and Financial Credit Check Policy and Criminal Background and Financial Credit Check Procedures to one document in the new policy format, updating hiring procedures, updating screening process, and including student workers, graduate assistants and part-time employees for background checks.