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**Find a Vendor/Consultant**

## Candidate Background Checks Back

Allan Schweyer

### Employment Screening Services

Why bother with background checks on candidates you wish to hire? The main reason is so that you can be sure of whom you are hiring and what you are getting. A second reason is to avoid traumatizing your workforce and incurring lawsuits.

Current estimates of résumé falsification range from 30-35% and according to several sources, approximately 20% of American workers have criminal records. In a 1999 *corsSurvey on Human Resource Issues*, 86 of 200 HR professionals surveyed said that the résumé falsifications they uncovered were significant to extremely significant. The falsifications most commonly found were skill level, job responsibilities, and employment length. Technical skills in particular were the most lied about according to the survey.

Background checks help you avoid hiring candidates who have misrepresented their education, skills or experience. You can also reduce your exposure to negligent hiring lawsuits that might come about through criminal conduct of an employee.

Employee screening may uncover gaps in employment as well as misrepresentation of job titles, duties, salary, and reasons for leaving. You can also check for validity and status of any professional qualifications, education verification, credit history, Driving records, personal references and SSN verification.

While you have the right to fire employees who have lied on their resumes, it is always better to screen them out beforehand to avoid potential wrongful termination suits. Even after you have done a background check on a candidate, he/she should be required to sign a disclaimer attesting to the accuracy of the information provided on the application and during the hiring



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A thorough background check by a certified Consumer Reporting Agency (CRA) usually costs no more than \$125.00 and can be done in a few days (sometimes longer for criminal record checks). Of course, it is not necessary to do a complete check on every candidate you interview. You might wish to do social security number checks for those invited to second interviews and reserve prior employment, criminal and education checks for finalists.

### **Lawsuits**

Negligent hiring is a more remote possibility but the consequences can be devastating to your customers, staff and to the organization itself. Negligent hiring may occur if one of your employees (at work or otherwise) harms another of your employees or customers and you could have known about the employee's prior record.

Suppose you hire a driver and that person kills or injures someone while on duty. If you have not checked his or her driving record and they have a record of bad driving, you might be liable. Similarly, you might be liable for the actions of present employees who earn poor driving records after you hire them - a reason to perform checks every few years, and not just for driving.

Two recent cases (as reported on BCInt.com, reviewed below) make the point. A pizza restaurant has recently been sued for \$8 million dollars for not completing an adequate background investigation. The company hired a convicted child molester who was accused of raping two teenage employees. A furniture Company in Florida was ordered to pay \$2.5 million dollars for failing to check the background of a deliveryman after he assaulted a customer.

### **Choosing a Vendor**

You can mitigate risk by finding out about candidates before you hire them.

However, before selecting a vendor, you should ask how they perform their searches and where they get their information. They must conform to all Federal Credit Reporting Act (FCRA) rules or else your results cannot be legally used in employment decisions.

Background checking companies and Consumer Reporting Agencies (CRAs) that go directly to the source (courthouses, educational institutions, employers, etc.) are your best bet. Those that obtain their information from stored databases may, in some cases, be providing information that you cannot use for

employment purposes as per FCRA rules because the information is not guaranteed to be the most current. Be sure to question the prospective vendor on these points.

You should also be concerned about who is doing the checking. Licensed investigators are preferable because some courts render evidence obtained by unlicensed sources inadmissible. Professional investigators are more likely to understand the rules. Finally, always ask and request assurances that your vendor complies fully with FCRA rules, The FCRA rules apply to all the work involved in background checking, without exception.

Background checks performed by CRA's must comply with all FCRA rules. For your part, before requesting a check on any employee or prospective employee, you must obtain their consent in writing. Several of the vendors provide downloadable forms for this purpose.

Many service providers have adapted to the web by letting you register for their services and submit your requests through on-line forms. In most cases, your entire background check will take no longer than a few days, and can be delivered to you via email.

This might not sound like much, after all the web should make it possible for you to conduct do-it-yourself checks. Recall, however, that to comply with the rules, much of the information needs to be obtained from the source and by licensed investigators.

The companies that have taken the process of submitting your searches on-line, have reduced turnaround time, improved the quality of searches (by reducing errors caused by human handling) and have lowered prices.

This rest of this article consists of short reviews of three CRAs that are available on the Internet. These are a few of many good vendors and I do not mean to suggest that they are the best. Each of them, however, claims to conform with all FCRA rules and to perform most or all of these services:

- Social Security Traces;
- Criminal Records Search (5, 7 or 10 year searches);
- Employment History Verification (dates of employment, position, salary); Education Credential Verification (degree or credential and date awarded);
- Credit History Examination;

- Motor Vehicle Records Examination (motor vehicle violations, suspensions and revocations, type of license granted and restrictions on use);
- Reference Check;
- Professional Qualifications Check;
- Workers Compensation Claims Check.

### **HireRight.com**

HireRight claims to be the leading provider of Internet-based, pre-employment screening and assessments. They are certainly among the forerunners in adapting their processes to the Web. A partnership with previously reviewed POWERHiring.com has linked their pre-employment screening with POWERHiring.com's on-line recruitment management system. HireRight also advertises their ability to integrate their software with your HRMS applications.

Customer service is provided through account managers who work with new customers to determine their needs. HireRight requires that you register (on-line if you wish) and provide contact information for your company as well as your federal tax ID number, business license number, and a bank reference to "verify your validity as an employer".

Once you are registered, you can start using HireRight's services right away. This process usually takes about 48 hours. Fees are levied on a transaction basis so that you are charged for the searches or assessments you order. You can also access special package deals, \$123.00 will get you the important criminal, education, SSN and employment checks. HireRight can send you full reports by email within about 1.5-2 business days depending on the complexity of the search.

HireRight offers downloadable, legally reviewed forms to assist you in complying with FCRA rules.

HireRight.com

2100 Main Street  
Suite 400  
Irvine, CA 92614  
Telephone: (949) 752-1127  
Fax: (949) 752-1789

### **Employeescreen.com**

Employeescreen.com is also known as BackGround Information Services, Inc. Within 1-3 days, BIC, Inc provides you with verification of education and employment, credit reports, driving records, and civil records. Like HireRight, they will work with you to customize a package that suits your needs.

Their prices range from \$35 for a simple SSN verification, county criminal record search and a drivers license search to \$85 for more extensive searches that include education and employment verification (Past 7 Years).

BackGround Information Services, Inc.  
[info@employeescreen.com](mailto:info@employeescreen.com)

216 514-2800  
216 514-8222 Fax  
800 853-3265 Order by Fax

#### **BCInt.com**

BCI targets its services to employers with 200 plus hires per year and offers volume discounts. In addition to credit, SSN, workers comp and criminal record checks, BCInt offers comprehensive employment background checks and personal reference checks covering psychological problems, family, domestic relations, trustworthiness, reliability, use of illegal substances and abuse of alcohol.

BCI also covers the common checks that most CRAs offer, including a professional license verification check that covers most professions.

BCInt.com

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