

 <p>DURHAM 1869 CITY OF MEDICINE</p>	<p>CITY OF DURHAM</p> <p>Signature Thomas J. Bonfield, City Manager</p>	<p>Human Resource Management Memorandum</p> <p>Background Investigations</p> <p>HRM- effective date</p>
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Purpose:

To establish a uniform policy for conducting background investigations for city positions.

Policy:

It is the policy of the City of Durham to conduct background investigations, i.e., a check of various information that verifies the eligibility for city employment or service, on prospective employees and volunteers.

Please refer to the Recruitment and Selection policy (PER 301 R-4) for more information about the recruitment/selection process.

The Human Resources Director shall rule on any disagreements regarding the interpretation of the terms of this policy.

Definitions:

1. Adverse Action – A denial of employment or volunteer position to a prospective employee or volunteer.
2. Background investigation – a check of various information that verifies the eligibility of prospective employees or volunteers for City service. The type of information that can be collected includes, but is not limited to: consumer report, credit check, criminal background check, driving record, educational qualification check, verification of personal and/or employment references.
3. Credit Check – review of personal credit history.
4. Criminal Background Check – search of criminal history.
5. Consumer Report – any written, oral, or other communication of any information character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or part for the purpose of serving as a factor in establishing the consumer’s eligibility for employment.

6. Educational Qualification Check – verification of submitted education up to and including the request of transcripts, certifications and/or diplomas.
7. Employee – Any individual hired by the City for a specific job and paid via City of Durham payroll check.
8. Minor – Any prospective employee or volunteer under the age of 18.
9. Volunteer – A person who provides services to the City without receiving or expecting payment.

Procedure:

The Hiring Supervisor in each department completes the background investigation by:

1. ensuring that applicants are aware that a background investigation will be completed when contacting applicants for interviews.
2. providing in writing a clear and conspicuous disclosure to the prospective employee, volunteer or contractor before a report may be procured during the hiring process.
3. ensuring that prospective employees or volunteers, who are 14 and older, complete the *Authorization for Release of Personal Information* (attached). If the prospective employee or volunteer is a minor, a parent or legal guardian must also sign the notification and release form during the hiring process.
4. choosing and conducting the appropriate background investigation during the hiring process pursuant to the position for which the prospective employee or volunteer has applied.
5. performing a credit check in compliance with the Fair Credit Reporting Act (FCRA) prior to a conditional offer of employment for any positions that may have responsibilities over City funds to determine eligibility for financial positions per the *Background Check Guidelines* included as part of this policy.
6. performing a criminal background check on all prospective employees or volunteers after a conditional offer of employment per the attached *Background Check Guidelines* included as part of this policy.
7. ensuring that no prospective employee or volunteer begins work in a position without an executed and approved background investigation in addition to all other pre-employment requirements.
8. ensuring that the background investigation information is confidentially handled and maintained within the department.

Findings in Criminal Background Checks

If there are findings as the result of a criminal background check and the findings could potentially lead to an Adverse Action, a Deputy City Manager or the City Manager must be consulted prior to any change in the job offer status being implemented.

Background Checks on Current Employees or Volunteers

Supervisors must provide a clear and conspicuous disclosure in writing to current employees before a background investigation may be procured.

Supervisors must ensure that employees are aware of annual driver's license checks and that other reviews of personal information may occur periodically.

Employees are responsible for immediately notifying supervisors of criminal arrests/convictions after employment.

Position Exceptions to the Policy

Background investigations are conducted BEFORE applicants may be placed in finalist status for the following categories of employment:

- Public Safety positions
- Financially sensitive positions
- Positions in direct contact with minors

NOTE: specific qualifying conditions apply, contact Human Resources for details.

Contractors

Individuals contracted to perform City duties (i.e. instructors for a Parks and Recreation class) may be subject to background investigation. Contact Human Resources for details.

Confidentiality:

The City of Durham guarantees that all information attained from the background investigation process will only be used as part of the employment process and will be kept strictly confidential. All persons receiving background information regarding an individual shall maintain the confidentiality of such information in accordance with applicable law.

CITY OF DURHAM NORTH CAROLINA
AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION



I am an applicant for a position with the City of Durham, North Carolina for either a paid or unpaid (volunteer) position. In order to determine my suitability for employment, I understand that the City of Durham, North Carolina must make a thorough investigation of my personal and employment history.

Therefore, I, _____, DOB _____, Social Security # _____
(name Printed) xx/xx/xxxx
_____, do hereby request and authorize any bank, credit union, lending or financial institution, former or present employer, educational institution, insurance company, governmental agency, criminal and civil courts, certification or licensing commission, military organization, and any other individual or agency to produce and provide copies of any and all information pertaining to me to any authorized agent of the City of Durham, North Carolina whether said information is of a public, private, privileged or otherwise confidential nature.

Subsequent to any conditional offer of employment, I further request and authorize any physician or other physical or mental health care professional, any hospital or other physical or mental health treatment facility, including any substance abuse treatment facility, or other repository of medical records to produce and provide copies of any and all information pertaining to me to any authorized agent of the City of Durham, North Carolina whether said information is of a public, private, privileged or otherwise confidential nature.

Moreover, I hereby release the City of Durham, North Carolina, its employees and agents from any civil or criminal liability whatsoever for seeking such requested information and for evaluating such information as it relates to my employment with the City of Durham. And, I hereby release the issuing agency, its employees and agents from any and all liability for damages of whatever kind, which may at any time result because of compliance with this authorization and request.

I further waive all right to inspect or review any information compiled in reference to my application for employment to the extent allowed by law. I hereby acknowledge that this authorization is valid for one (1) year from the date of my signature.

I have read and fully understand the above statements. A copy of this document is considered as valid as the original.

Applicant's name (Printed) _____

Applicant's Signature/date _____

Parent signature (if applicant is a minor) _____

Applicant's address (printed) _____

Applicant's telephone # () _____