

# Pre-Employment Criminal Background Checks

## Frequently Asked Questions

### General

#### **Q. Who is subject to a pre-employment criminal background check?**

- The final candidate(s) for all regular payroll positions whether newly hired, rehired, or a transfer from another state agency.
- All paid or gratis Adjunct Faculty, Special Payroll Lecturers, Instructional Specialists, Academic Specialists, Academic Technicians, Clinical Supervisors, Graduate Instructional Specialists, and Graduate Special Payroll Lecturer that are newly hired or rehired after a break in service of two or more consecutive semesters, and are not currently on the regular payroll.
- Other special payroll titles that have direct teaching or advising responsibilities, or deemed to be in a position of trust (working with minors).
- Graduate students that are working in a teaching capacity as a Special Payroll Lecturer, Instructional Specialist or other special payroll appointment that have direct teaching or advising responsibilities.

**NOTE:** Individuals covered by #2 and #3 above will be subject to a pre-employment criminal background check upon their first appointment following the effective date of the Policy, and will be subject to checks under these parameters on an ongoing basis.

#### **Q. Are existing employees subject to pre-employment criminal background checks?**

**A.** No, existing employees of the University are not subject to pre-employment criminal background checks.

#### **Q. Are individuals that separate from the University and are rehired into a same or different position subject to a pre-employment criminal background check?**

**A.** If the individual has never had a University background check one will be required when they are re-hired. If the individual had a University background check for the previous position and the break in service was less than one year, they would not require another background check.

#### **Q. Is an individual that transfers from another state agency or another university (including the UConn Health Center) subject to a pre-employment criminal background check?**

**A.** Yes, individuals transferring from other state agencies and other universities (including the UConn Health Center) will be subject to pre-employment criminal background checks.

#### **Q. Is an individual that is dually employed at another state agency or another university (including the UConn Health Center) subject to a pre-employment criminal background check?**

**A.** Yes, individuals that are dually employed at other state agencies are subject to pre-employment criminal background checks.

#### **Q. Are individuals appointed off a layoff list (re-employment or SEBAC) subject to a pre-employment criminal background check?**

**A.** No, individuals appointed off a re-employment or SEBAC list will not be subject to a pre-employment criminal background check.

**Q. Is it permissible to conduct a criminal background check on volunteers (including graduate or undergraduate student volunteers) if they are participating in a safety (e.g., working with minors) or security (IT, financial, etc.) sensitive capacity?**

**A.** Departments may request Human Resources conduct criminal background checks on volunteers (including graduate or undergraduate student volunteers) that are not working in an employment-like capacity with a written justification regarding the sensitivity of the volunteer role.

**Q. If a returning Adjunct Faculty that has already been subject to a pre-employment criminal background check teaches every Fall semester, but does not teach in the Spring or Summer, is a new pre-employment criminal background check required each year?**

**A.** No, as long as the break in service between appointments is less than one year a new pre-employment background check is not required.

**Q. Are pre-employment criminal background checks required for re-employed retirees?**

**A.** Pre-employment criminal background checks will not be required for UConn retirees if rehired within one year of their retirement date. If they are rehired and a year or more has passed since they retired, a background check will be required. Individuals that are retirees from other state agencies will be subject to pre-employment criminal background checks.

**Q. Is a pre-employment criminal background check required for internal hires, promotions, or reclassifications?**

**A.** No, existing employees are not subject to pre-employment criminal background checks as a result of a change in their position or classification.

**Q. Who conducts the criminal background checks?**

**A.** Pre-employment criminal background checks are centrally administered by the Department of Human Resources. Human Resources works with a third-party vendor that is responsible for conducting the actual pre-employment criminal background checks.

**Q. How long does it take to get the results of the pre-employment criminal background check?**

**A.** Results are generally available within 48-72 hours, however there are factors that impact the timelines including the number of counties and/or states that need to be checked, whether an international check is required, the number of past residences, etc.

## **Authorization and Consent, Access and Privacy**

**Q. Does a candidate have to give authorization and consent for a pre-employment criminal background check to be conducted?**

**A.** Yes, candidates must give written permission by signing the following:

- [Disclosure Regarding Background Investigation](#)
- [Acknowledgement and Authorization for Background Check](#)
- [Consent to Release Information for Pre-Employment Criminal Background Investigation](#)
- [Authorization for the Social Security Administration to Release \(SSN\) Verification](#)
- Download entire [Pre-Employment Criminal Background Check Packet](#)

If a candidate declines to give permission for a pre-employment criminal background check, the check cannot be conducted. A person that fails to give permission cannot be employed because checks are a condition of employment.

**Q. Who obtains the authorization and consent forms from the candidate and at what point in time?**

- For unclassified (faculty and professional staff) positions, the hiring departments will obtain the signed authorization and consent forms from the candidate at the time of offer.
- For classified positions, Human Resources will obtain the signed authorization and consent forms at the time of offer.
- For special payroll positions, the hiring department will obtain the signed authorization and consent form at the time of offer.
- For volunteers, the hiring department will obtain the signed authorization and consent form at the time of agreement.

**Q. What authorization and consent forms are required from the applicant in order to initiate the pre-employment criminal background check?**

- [Disclosure Regarding Background Investigation](#)
- [Acknowledgement and Authorization for Background Check](#)
- [Consent to Release Information for Pre-Employment Criminal Background Investigation](#)
- [Authorization for the Social Security Administration to Release \(SSN\) Verification](#)
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**Q. Who has access to the pre-employment criminal background check records?**

A. The individuals in Human Resources and Labor Relations who facilitate and manage the pre-employment background check program have access and maintain information in a confidential manner.

## Hiring Issues

**Q. May a candidate start work before a pre-employment criminal background check is complete?**

A. No, candidates may NOT start work until pre-employment criminal background checks are complete. Exceptions must be addressed with the Director of Faculty and Staff Labor Relations and his/her designee. The Director of Human Resources may also be consulted as deemed necessary.

**Q. Does a previous criminal conviction disqualify an applicant from consideration for employment?**

A. A previous criminal conviction does not automatically disqualify a candidate for employment. Eligibility for employment depends on, but may not be limited to, the following criteria:

- The nature of the offense and its relationship to the position
- The degree to which the applicant has been rehabilitated
- The length of time elapsed since conviction

**Q. How does the hiring department know the outcome of the pre-employment criminal background check?**

A. Human Resources will communicate one of two outcomes to the hiring department: 1) endorsement of employment; or 2) non-endorsement of employment from the Director of the Office of Faculty and Staff Labor

Relations or his/her designee (following consultation with the hiring manager) based on the pre-employment criminal background check results as related to the position.

**Q. How does the applicant know the outcome of the pre-employment criminal background check?**

**A.** If the check is clear, the hiring department will notify the candidate directly.

If a candidate is being disqualified from employment based on the results of the criminal background check, the Department of Human Resources will issue to the candidate a pre-adverse action letter. The candidate will then have 5 business days to file an appeal of the validity of the results to the vendor (SSC, Inc.). If the appeal is denied, Human Resources will issue an adverse impact letter notifying the candidate that the offer for employment is withdrawn and they are no longer being considered for the position.

**Q. Does the applicant have the right to appeal the validity of the pre-employment criminal background check results?**

**A.** Yes, following receipt of a pre-adverse action letter the candidate will have 5 business days to file an appeal of the validity of the results directly to the vendor (SSC, Inc.).

## **Cost and Billing**

**Q. What are the costs for pre-employment criminal background checks and how are the rates determined?**

**A.** The average cost per pre-employment criminal background check is \$100.00. Factors that impact the final cost include the number of counties and/or states that need to be checked, which county or state is being checked (some are more expensive than others), whether an international check is required, the number of past residences, etc.

**Q. Who is responsible for the cost of the pre-employment criminal background checks?**

**A.** Hiring departments are responsible for the cost of the pre-employment criminal background checks. Please note that grant funds may not be used for background check costs.

**Q. How will the department be billed for pre-employment criminal background checks?**

**A.** Hiring departments will be billed by Human Resources with supporting documentation.