

## **City of Brockton**

### **Background Check Policy and Guidelines**

#### **Purpose of Policy:**

The City of Brockton is committed to providing a safe and secure environment, supported by qualified employees that will allow all of its staff, and those associated with them to successfully carry out the City's mission.

All offers of employment with the City of Brockton are contingent upon clear results of a thorough background check. A background check will be conducted on all selected candidates.

This policy shall not apply to:

- Employees who are re-hired with a break in service less than six months will be deemed to have satisfied the requirements of this policy.

#### **Policy:**

The review of the background check will be performed by:

- the vendor the City has contracted with to perform background checks;
- the Director of Human Resources or designee; and
- the background check review committee ("committee") which may consist of three (3) members, a representative from each area and an alternate, if needed:
  - Human Resources
  - Mayor or designee
  - Law Department
  - Police Department

Only these individuals will have access to the information contained in the background check. No printed/paper documents related to background checks will be available in Human Resources nor any City office.

#### **Background checks will include:**

- **Social Security Verification:** validates the applicant's Social Security number, date of birth and former addresses.

- **Educational Verification:** confirms the applicant's claimed educational institution, including the years attended and the highest degree/diploma received.
- **Criminal History:** includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
  - The nature of the crime and its relationship to the position.
  - The time since the conviction.
  - The number (if more than one) of convictions.
  - Whether hiring the applicant would pose an unreasonable risk to the City, its employees or its customers and vendors.
- **Personal and Professional References:** calls will be placed to individuals listed as references by the applicant.

The following additional background check searches will be required, if applicable to the position along with other similar state or national searches.

- **Motor Vehicle Records:** provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.
- **Credit History:** confirms candidate's credit history. This search will be run for positions that involve management of budgetary funds and/or handling of cash or credit cards.

Employees and candidates may receive a copy of their background check at no charge by requesting it from the City's vendor.

### **Internal Procedure:**

Background checks usually take three to five (3 to 5) business days; however, it may take longer depending on the state or office responding to the inquiry, or longer for international reviews.

### **Step I**

The successful candidate for each position must sign the conditional offer letter authorizing a background check, as employment is conditional on the outcome of the check. A background check will not be processed without signed consent by the applicant.

- If the successful candidate does not sign the conditional offer letter of employment and/or does not return the signed letter to Human Resources within five (5) business days, the applicant will be notified and the offer for employment may be rescinded.
- If the successful candidate signs the conditional offer letter of employment and returns it to HR, HR will initiate the background check process. (See Step II)

## **Step II**

Human Resources will order the background check from the vendor upon receipt of the signed conditional offer letter. The vendor will send an email to the successful candidate to begin the background check process.

## **Step III**

The Director of Human Resources and/or designee will review the results of the check. The HR Director will notify the department head regarding the results of the check.

- In instances where negative or incomplete information is obtained (ie. licensure, education, social security verification), the HR Director will assess the potential risks and liabilities related to the job's requirements and determine whether the individual is suitable for the position.
  - If the HR Director deems the candidate suitable for the position sought with the City, HR will notify the department head and HR will prepare an official offer of employment letter to send to the candidate.
  - If the HR Director deems the candidate unsuitable for the position sought with the City, HR will notify the candidate and the candidate will have the opportunity to appeal. (See Step IV)
- In instances where negative or incomplete information is obtained **regarding criminal and/or sex offender history**, the HR Director will convene the committee who will then meet to assess the potential risks and liabilities related to the job's requirements and determine whether the individual is suitable for the position.
  - If the committee deems a candidate suitable for the position, HR will notify the department head and prepare an official offer of employment letter to send to the

candidate.

- If the committee deems a candidate unsuitable for the position, the HR Director will notify the candidate and the candidate will have the opportunity to appeal. **(See Step IV)**

#### **Step IV**

The appeal process is in accordance with the provisions of the Federal Fair Credit Reporting Act (FCRA) and Criminal Offender Record Information (CORI) law.

If the candidate is deemed unsuitable for the position, HR will prepare a pre-adverse letter and will notify the candidate directly. The candidate will also receive the entire background check report, a summary of their rights to appeal, the City of Brockton's Background Check Policy, Information Concerning the Process in Correcting a Criminal Record, and the Department of Criminal Justice Information Services (DCJIS)/Criminal Offender Record Information (CORI) policy.

If the candidate believes that the reported background review information is inaccurate, and would like to appeal the City's decision. The candidate will have the opportunity to request a meeting with the HR Director and a member of the committee.

- If the City deemed the candidate successful, HR will send an official offer letter of employment to the candidate.
- If the City deemed the candidate unsuccessful, HR will send an adverse letter to the candidate withdrawing the conditional offer of employment.

The City reserves the right to immediately rescind a conditional offer of employment upon an unsuccessful background check.

The City of Brockton reserves the right to modify this policy at any time without notice.

If you have any questions relative to the policy please contact Human Resources at (508) 580-7820.