Pre-Employment Screening and Background Check Policy

Replace each [Placeholder] and adjust the screening tiers to your roles. Add state and local fair chance, credit check and notice requirements for each place you hire, and have employment counsel review before use.

1. PURPOSE

[Company Name] screens candidates to protect customers, employees and company assets, and to meet legal and client requirements. We screen only for information related to the job, apply the same checks to everyone in the same role, and give candidates a fair chance to respond to anything we find.

2. SCOPE

This policy applies to all candidates for employment who receive a conditional offer, to current employees moving into a role with a higher screening tier, and to temporary and contract workers placed with us where their agency agreement requires equivalent screening. It does not apply to checks required by a separate regulated program, such as Department of Transportation driver qualification, which follows its own rules.

3. SCREENING TIERS

Each position is assigned a tier by HR with the hiring manager and documented in the job requisition.

- **Tier 1, standard:** identity verification, Social Security number trace, county and statewide criminal records for the past [7] years where the candidate has lived or worked, national criminal database search with county verification, and federal sex offender registry.
- **Tier 2, customer data or money:** Tier 1 plus employment verification for the past [3–5] years and highest education or required certification. Credit history only for [specified finance roles] and only where state and local law permits.
- **Tier 3, safety-sensitive or vulnerable populations:** Tier 2 plus motor vehicle record for driving roles, professional license verification, healthcare sanction and exclusion list checks, and fingerprint-based checks where state law or a client contract requires them.

Drug testing is covered by the [Drug and Alcohol Policy]. We do not use social media screening to make hiring decisions.

4. TIMING

Background checks run only after a conditional offer of employment, and we do not ask about criminal history on applications or in interviews [in any location, even where not required by law]. Start dates are contingent on completion of the check. Recruiters will tell candidates the expected turnaround, normally [3–5 business days].

5. DISCLOSURE AND CONSENT

Before ordering a check from a consumer reporting agency, we give the candidate a clear written disclosure, in a document consisting only of that disclosure, that a consumer report may be obtained for employment purposes, and we obtain the candidate's written or electronic authorization. Required state

and local notices are provided at the same time. If the check includes interviews with references or others about character or reputation, we provide the additional notice the law requires for investigative consumer reports.

6. EVALUATING RESULTS

Results are reviewed by [trained HR staff], not by the hiring manager. A record does not automatically disqualify anyone. For criminal history, we consider only convictions and pending charges that are relevant, and make an individualized assessment of:

- the nature and gravity of the offense
- the time passed since the offense or completion of the sentence
- how the offense relates to the duties of this specific job
- evidence of rehabilitation, work history since the offense, and any information the candidate provides

We do not consider arrests that did not lead to conviction, sealed, expunged or juvenile records, or other records that state or local law prohibits us from using. Discrepancies in employment or education history are discussed with the candidate before any decision.

7. ADVERSE ACTION PROCESS

If we are considering withdrawing an offer based in whole or in part on the report, we will:

1. Send a pre-adverse action notice with a copy of the report, the document "A Summary of Your Rights Under the Fair Credit Reporting Act," any notice required by state or local law, and an explanation of the findings of concern.
2. Wait at least [5 business days], or longer where local law requires, for the candidate to dispute the report or provide information about accuracy, rehabilitation or mitigating circumstances.
3. Review anything the candidate submits before making a final decision.
4. If the decision is final, send an adverse action notice that includes the name, address and phone number of the consumer reporting agency, a statement that the agency did not make the decision and cannot explain it, the candidate's right to a free copy of the report within 60 days, and the right to dispute its accuracy or completeness with the agency, plus any state-required content.

8. CURRENT EMPLOYEES

Employees moving into a higher-tier role are screened for the additional checks of that tier. [Employees in Tier 3 roles are rescreened every [2] years, with authorization obtained at hire that covers the period of employment, where permitted.] Employees in [Tier 3 roles] must tell HR within [5 days] of any criminal charge or conviction, or loss or restriction of a required license, that relates to their duties.

9. CONFIDENTIALITY AND RETENTION

Background reports are confidential. They are stored separately from personnel files, accessed only by HR staff who need them, and kept for [the period required by law and at least as long as any related claim could be brought, typically [X] years], then securely destroyed. Reports are used only for the employment decision for which they were obtained.

10. VENDORS AND INTERNATIONAL CHECKS

We use [Screening Provider], a consumer reporting agency that certifies its compliance with the FCRA. Checks for candidates who lived or worked outside the US follow the laws of those countries, which

may limit what can be checked and require separate consent. Questions about this policy go to [HR contact]. Effective date: [Date].