



## Pre-Employment Background Screens

### **Purpose**

Pre-employment background checks will help ensure that the college's academic mission is supported with qualified employees, and that we provide a safe and secure environment for all of Iona College's constituents including students, employees and visitors. This process supports Iona's ability to act proactively and responsibly in protecting its human, fiscal, property and other assets. The purpose of this policy is to:

- promote consistency in safe hiring practices through more thorough screening of job applicants
- increase legal compliance and reduce risk of liability especially in employment positions that require interaction with minors

Every offer of employment will be contingent upon the applicant's successful completion of the pre-employment screening process which includes completion of an online employment application or data form, professional references checks and a background check.

### **Definitions**

Term	Definition
Background Check	Process of acquiring records regarding a final candidate that are used to determine suitability for employment.
Finalist/Lead Candidate	Internal or external applicant identified as the finalist for a position.
Hiring Manager	Individual ultimately responsible for selecting a final candidate for employment.
Human Resources Representative	A representative from Iona College's Human Resources (HR) department that has been selected to coordinate the pre-employment process and partner with the hiring departments in the hiring and onboarding of faculty, staff, administrators and student employees. HR is comprised of a Director, Manager of Employment and Benefits, Wage and Salary Manager and an HR Coordinator.
Employee	Any person employed by Iona College, whether full- or part-time.
Foreign National	A person who is not a citizen of the host country in which he or she is residing or temporarily residing. For example, a foreign national in the United States is someone who is neither a US citizen nor a permanent resident of the United States.
Immigration Reform and Control Act of 1986 (" <a href="#">IRCA</a> ")	Public Law 99-603 (Act of 11/6/86), which was passed in order to control and deter illegal immigration to the United States.
Fair Credit Reporting Act ( <a href="#">FCRA</a> )	Federal law that regulates collection, dissemination, and use of consumer credit information.
Credit History Check	Subject to FCRA, checking the credit history of the selected applicant or employee. (Federal laws prohibit discrimination against an applicant or employee as a result of bankruptcy).
Criminal Conviction	Being found guilty, entering a guilty plea, or pleading no contest or nolo contendere to a felony, misdemeanor and/or ordinance violation other than a minor traffic violation (e.g. speeding is considered minor while driving under the influence is major). Disclosures of criminal convictions are subject to applicable state law.

Educational Verification	Ensuring that the selected applicant or employee possesses the highest degree earned as listed on the employment application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought.
Employment Verification	Ensuring that the selected applicant or employee actually worked in the positions listed on the application, resume, or cover letter or otherwise cited by the candidate that qualify the individual for the position sought, as well as all employment during a period of at least seven (7) years, or three (3) most recent employers, immediately preceding application at Iona College. This verification should include dates of employment and may provide salary and/or reasons for leaving each position.
License/Certification Verification	Ensuring that the selected applicant or employee possesses all the licenses listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought and verification of any license required for the position, including verification of the disposition of such licenses.
Reference Check	The process used by hiring managers to verify the most critical information provided by a job candidate, including but limited to employment history, skills, competencies, job responsibilities, and performance.
Medical Examination	To determine whether the applicant is able, with or without any adjustment, to perform the inherent requirements of the job.
Child Abuse Registry Check	Verifying that the selected applicant or employee does not have undisclosed convictions of certain sex and violent crimes.

### **Policy**

This policy applies to all finalist candidate(s) selected for faculty, staff and administrator hires in regular full time, part time, temporary (excluding agency temps), and intermittent positions who are scheduled to assume their new duties on or after the policy effective date. The College reserves the right, in accordance with applicable law, to require employees to undergo background checks periodically. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- Relevance of the crime to the position sought
- The nature of the work to be performed
- Time since the conviction
- Age of the candidate at the time of the offense
- Seriousness and specific circumstances of the offense
- The number of offenses
- Whether the applicant has pending charges
- Any relevant evidence of rehabilitation or lack thereof
- Any other relevant information, including information submitted by the candidate or requested by the hiring authority

All new Faculty and Staff/Administrative employees shall have the following background checks completed as a condition of employment with Iona College. The standard background check includes:

- Social Security Trace (SSN and name match)
- Education verification (highest degree earned)
- Employment verification (7 years or 3 most recent positions)
- Criminal history check (state & federal levels)
- Office of Foreign Asset Control and National Sex Offender Registry checks

Additional background screens may include, but are not limited to:

- License verification
- Child Abuse Registry
- Credit check
- Fingerprinting

Pre-Employment for Iona College								
	Background Check	Education, License, Certification Verification	Criminal History Check	Reference Check	Medical Examination	Credit History Check	Child Abuse Registry Check	Finger-printing
All Faculty	x	x	x	x				
All Staff/Administrative	x	x	x	x				
Licensed/Accredited Workers (Social Workers, Electrician, CPA's, Lawyers, etc.)	x	x	x	x				
Finance, Accounting, Cash-Transaction Operating Staff	x	x	x	x		x		
Driver	x	x	x	x	x			
Groundskeeper/Custodial	x	x	x	x	x			
Interaction with minors in the course of one's work	x	x	x	x			x	x
Direct Patient/Research Participant Care	x	x	x	x	x			
Lab Workers	x	x	x	x				
Campus Safety	x	x	x	x			x	x

Please consult with the Director of Human Resources for approval if you are interested in additional pre-employment screens.

Foreign Nationals who have been offered employment will be subject to the following provisions:

- The verification of education that the candidate has cited that qualifies the individual for the position.
- The verification of employment that the candidate has cited that qualifies the individual for the position.
- A criminal history check covering time in the United States if the period of time that the individual has been in the United States exceeds one year.
- A criminal history check in the individual's prior countries of residence only if the individual's visa and/or authorization to work in the United States was issued before implementation of the Patriot Act on October 24, 2001. The College will not require that a criminal history check be conducted in the individual's prior countries of residence if the visa or authorization to work was issued or renewed under the provisions of the Patriot Act.

### **Procedure**

All offers of employment will be contingent on satisfactory results of the background screen. The College will ensure that all background checks are conducted in compliance with applicable federal and state statutes, including the Fair Credit Reporting Act.

### **Information collection**

Only the department of Human Resources may initiate a background check and receive results for faculty and non-faculty hires. A signed authorization from the finalist and an application for employment is required before criminal record information or background information may be requested from the outside credit reporting agency. Additionally, all written disclosures required under federal law and applicable state law will be given to finalists before conducting a background screen.

- **Self-Disclosure of Criminal Convictions**  
Current faculty, administrators, staff, graduate assistants, student employees, appointees, volunteers, and staff provided by third party staffing vendors are required to self-disclose post-employment criminal convictions that occur within three business days of the conviction to the Human Resources Director. Adjunct faculty that have a break in service of less than 12 months must disclose any conviction occurring during the break within three business days of returning to College employment. Any break in service of one year or greater will be subject to a new criminal history check and any additional checks required for the new position (e.g. credit check).
- **Talking to Candidates about Criminal Convictions**  
Internal and external applicants are required to self-disclose criminal conviction information as part of the application process. Hiring departments and search committees are strongly advised to review New York Correction Law, [Article 23-A](#), and to review interview questions to ensure they are not discriminatory in nature.

### **Results of Background Checks**

Results of background checks are sent directly to Human Resources.

If the background check is clear, the HR Representative will notify the hiring manager that the candidate is approved to begin employment. The contract for tenure-track faculty positions and offer letters for all other roles will be presented to the new hire once the HR Representative is notified of the candidate's formal acceptance of the position.

If the background check is questionable, Human Resources will review the information in consultation with legal counsel and will make an individualized assessment on the candidate comparing the nature, qualifications and duties of the position at issue and determining whether the conviction does, in fact, bear directly on the candidate's suitability for employment.

Human Resources will comply with FCRA and applicable state disclosures before taking adverse action regarding a candidate who has submitted to a background screen. This includes, but is not limited to, pre-adverse action notifications and disclosures, reasonable waiting time, and adverse action notifications.

### **Contingent Offers of Employment**

All offers of employment are contingent upon successful completion of the background screen and all written or oral offers of employment must state: "Our offer is contingent upon satisfactory reference inquiries, verification of the accuracy of information obtained in the employment process through an independently conducted background investigation, and authorization to work pursuant to the Immigration Reform and Control Act of 1986 ("[IRCA](#)"). Your employment with Iona College cannot commence until these conditions have been satisfied."

### **Retaining Background Check Information**

In accordance with the College Record Retention Policy, background check results must be retained, in a secured location, for the length of employment plus three years. For candidates who are not hired due to the information revealed on the background check, both the background check results and the FCRA forms including all disclosures, authorizations and releases must be retained for three years in a file separate from other documents generated by the selection process. Results of all background checks are confidential and will not be disclosed to any individual, including hiring managers except to the extent necessary on a need-to-know basis. Hiring managers do not receive any details of the background check, only a notification of whether the results do or do not meet Iona's guidelines.

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