



## **PRE-EMPLOYMENT BACKGROUND CHECK GUIDELINES**

The processes set forth in this document apply to background checks conducted through Human Resource Service (HRS).

HRS recommends hiring departments conduct pre-employment background checks on final applicant(s) to verify employment history, educational credentials, criminal history, and other information related to employment ***prior*** to extending an offer of employment.

A conviction/criminal history record does not necessarily disqualify an individual from employment. The fact of arrest alone does not immediately disqualify an individual from employment.

### State Law Requirements

The Washington State Child and Adult Abuse Information Law [RCW 43.43.830-845](#), requires that anyone with unsupervised access to certain vulnerable populations be screened for specific information about any convictions for crimes against persons and crimes relating to financial exploitations, and for findings in related actions and proceedings. Positions identified as having unsupervised access to children or vulnerable adults will undergo a Washington Access to Criminal History (WATCH) background check prior to offer of employment.

House Bill 2208 requires a criminal history record check through the Washington State Patrol criminal identification system and the federal bureau of investigation for all state employees or contractors who have access to Federal Tax Information.

Postsecondary Educational Institutions – Sexual Misconduct (RCW 28B.112.080) requires applicants to declare whether they are the subject of any sustained findings of sexual misconduct in any current or former employment or is currently being investigated for, or have left a position during an investigation into, a violation of any sexual misconduct policy at the applicant's current or past employers. By law, post-secondary educational institutions cannot hire an applicant who does not complete the Sexual Misconduct Statement. HRS will contact the finalist to complete the Sexual Misconduct Statement, if not completed through Workday.

### **PROCESS**

HRS is available to identify positions that may require pre-employment background checks and to guide hiring departments through the process. The appropriate recruitment processes for the employee type must be followed.



When the hiring department uses the online background check process offered by HRS (as set forth in this document and BPPM 60.16), the following applies:

1. Prior to posting a job vacancy, consult with HRS to review the position description and assigned duties which may require a background check. Examples include:
  - Access to or receipt of university funds.
  - Access to sensitive equipment, inventory, disposable university property or other items of value
  - Access to master keys
  - Access to research data.
  - Access to confidential personnel, student data, or business information.
  - Specific grant or contract requirements

**NOTE: All positions with unsupervised access to children or vulnerable adults or which have access to federal tax information require a background check as outlined above. Contact HRS for more information.**

2. HRS will provide guidance to the hiring manager to determine which components of the background check are appropriate for the position based upon assigned job duties.
3. Recruitment information, advertisements and postings for the position which will require a background check will contain the following statement: *"This position has been designated by the department to require a background check"*
4. The Hiring Manager/HR Partner will notify the applicant they are one of the finalists for the position and will soon be contacted by HRS or HireRight, a third party consumer reporting agency to initiate the background check, and their postsecondary employers, if any, will be contacted as part of the SMS process.
5. The hiring manager will then request a background check through HRS or Workday:
  - a. **For Requests outside Workday:** via email at [background.check@wsu.edu](mailto:background.check@wsu.edu) with a copy to your assigned HRS Service Team to request a background check on the final applicant(s) including:
    - i. Finalist(s) name
    - ii. Email address
    - iii. Resume/Vita –
    - iv. Position title/Position number
    - v. Background package type
      1. For MVR packages: Driver's license state



- vi. Depending on the position type/duties SMS process may be required.
- b. **For Requests through Workday Recruit:**
  - i. Within Workday the Primary Recruiter will initiate the background check within the Job Requisition
  - ii. HRS Employment Services will review the request submitted within Workday to initiate through HireRight
    - 1. Documents required to initiate WATCH or MVR requests will be processed by HRS Employment Services outside of Workday
- 6. The applicant will be contacted via email to initiate the background check. For certain positions, failure to consent to a background check shall result in removal of the applicant from consideration for the position.
- 7. The applicant submits their personal information at a secure website and signs a Disclosure and Consent form. The applicant will be provided with a summary of their rights under the Fair Credit Reporting Act (FCRA).
- 8. Once the applicant has submitted their personal information and signed the Disclosure and Consent form, the background check will be ordered. The timeline for results significantly depends on candidate's information and processing time, including processing delays.
- 9. HireRight will provide the background check results to HRS.
- 10. Upon receipt of the background check results, HRS will review the information based on the criteria for the position. If there are any criminal conviction(s) or other concerns raised by the background check, HRS will consult with the appropriate Appointing Authority or designee to determine whether the information would disqualify the applicant.

#### Hiring Determination

- 1. Satisfactory Background Check
  - a. Within Workday Recruit: HRS will update the Background Check with the appropriate status
  - b. Outside Workday: HRS will email the hiring manager that the background check was satisfactory.
  - c. The hiring manger/HR Partner may proceed with the process to make an offer of employment to the applicant.
- 2. Unsatisfactory Background Check
  - a. HRS will notify the hiring manger/HR Partner that the background check was unsatisfactory.



- b. Before taking any adverse action based on the background check, HRS will provide to the applicant a pre-adverse action notification which includes the following:
  - i. A copy of the Consumer Report.
  - ii. The name, address, and telephone number of the consumer reporting agency providing the background check.
  - iii. A description of the applicant's rights under Fair Credit Reporting Act (FCRA).
  - iv. A reasonable opportunity to respond to any information in the report that is disputed by the applicant.
- c. HRS will work with the Appointing Authority or designee to determine if the information provided within the consumer report along with any information provided by the applicant in response to the pre-adverse action notification would disqualify the applicant from consideration.
  - i. If the applicant is disqualified based on the pre-adverse action process, HRS will notify the applicant in writing regarding the decision to take adverse action based on the background check.
  - ii. If the applicant is not disqualified based on the pre-adverse action process, the appointing authority or designee may proceed with the process to make an offer of employment to the applicant.

**Note:** The job offer cannot be extended and the applicant may not begin work until the pre-employment background check is completed. Should conditions make an earlier contingent offer necessary, the appointing authority must make clear (preferably in writing) that the offer is contingent upon satisfactory results from the background check. If the appointing authority proceeds with an offer contingent upon the background check, the SMS process must be complete prior to the offer being made. Contact HRS for assistance.

## **REVIEW OF DECISION**

If the applicant disagrees with the background check decision, they may request a review by contacting HRS and providing written documentation disputing the findings.

## **WSU CAMPUSES**

The HRS department for each campus will be responsible for the administration of the Pre-employment Background Check program for vacancies on their respective campuses.

## **RESOURCES**

Questions regarding the Pre-employment Background Check program should be directed to HRS.

Phone: 509-335-4521

Email: [hrs@wsu.edu](mailto:hrs@wsu.edu)

HRS Service Team Information: <https://hrs.wsu.edu/human-resource-representatives/>



Business Policies and Procedures Manual

- [Background Checks 60.16](#)
- [Pre-employment Inquiry Guidelines 60.08](#)
- [Recruitment and Selection of Faculty Personnel 60.11](#)
- [Recruitment and Selection of Administrative Professional Personnel 60.17](#)
- [Recruitment and Selection for Classified Positions 60.18](#)
- [Temporary Employment Processing 60.27](#)