

## Northwest Louisiana Technical Community College

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### ***BACKGROUND CHECKS***

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The Northwest Louisiana Technical Community College (NLTC) is committed to providing the highest level of quality education and training and to ensuring the safety of students, staff, visitors and property of the college. As part of this commitment, this policy establishes a practice of pre-employment background checks for all new employees of the NLTC.

#### **Application**

This policy shall apply to all new faculty and staff, including classified staff, unclassified staff and all full time, part time and temporary faculty and staff.

#### **Definitions:**

*Appointment*- an unconditional offer of employment in the unclassified or classified service and the subsequent acceptance of such offer by a candidate.

*Conditional Offer of Employment*- an offer of employment that is conditional upon:

1. The candidate meeting certain criteria, such as passing the background check, agreeing to direct deposit, etc.
2. Human Resources verifying certain aspects of the conditional offer, such as the salary and, the applicant meeting the minimum qualifications.

*Conviction*- finding of guilt (including a “no contest” plea) or the imposition of sentences, or both, by any judicial body having the responsibility to determine violations of the federal or state criminal statutes.

*Safety-sensitive or security-sensitive positions*- a position determined to contain duties of such nature that the compelling State interest to protect itself from liability outweighs the employee’s privacy interest.

*Unconditional Offer of Employment*- an offer by and appointing authority to a qualified applicant who has met all of the conditions set out in the conditional offer of employment for a classified or unclassified position.

#### **Policy**

The purpose of performing a background check is to determine and/or confirm, within appropriate legal limits, the qualifications and suitability of a job candidate for the particular position for which the candidate is being considered. This policy will help ensure that employment related decisions utilizing pre-employment background checks are made in accordance with applicable law.

Background checks will be completed only through the NLTCC Human Resources Office. The results of the background check are confidential and are only disclosed only on a 'need to know' basis.

This policy does not limit the NLTCC right to hire, discipline or terminate.

### **Procedures**

- A criminal background check is required for all new hires into NLTCC positions. This requirement must be included in all external job postings.
- Pre-employment background checks are required for all candidates. The right and responsibility for performing the required check is reserved to staff of the Human Resources Office. Candidates should be informed during the interview process that background checks are a condition of employment.
- Following the interview process, and after a candidate has been selected for a conditional offer of employment, the Human Resources Office will be notified.
- The selected candidate will be required to sign the appropriate authorizations and consent prior to performing the background check. At this point, the candidate has been given a conditional offer of employment. Hiring managers should state, "Employment is contingent upon completion of a satisfactory background check report".
- Candidates are expected to provide complete and accurate information. Candidates who provide false or misleading information in their applications and/or authorizations may be eliminated from any further consideration.

### **Screening**

- Pre-employment background check must be completed before a candidate is given a final Unconditional Offer of Employment for a position. All job offers should be conditioned upon satisfactory completion of the pre-employment background check.
- Social Security Number trace/verification
- State Sex Offender search
- Office of Foreign Assets Control
- County Criminal History search
- Nationwide Criminal search

The background check is processed by a third party vendor and takes three to five from receipt of the completed and signed authorization forms.

The NLTCC maintains certain safety and security sensitive positions for which credit reports are deemed necessary when filling specific vacancies. Any positions having financial or cash handling responsibilities may be required to have a consumer credit report conducted in addition to the standard background check. The addition of the credit report must be requested prior to the position being advertised.

If the candidate satisfies all conditions of employment, the Human Resources staff will notify the hiring supervisor/manager that the candidate may now be given an unconditional offer of employment.

## **Adverse Action**

In general, the relevance of a particular pre-employment background check to a candidate's eligibility for employment is based upon factors including:

- The nature of the job to be performed- how is the criminal conviction relevant to the job duties to be performed.
- The nature and gravity of any adverse or negative information
- The nature of the convictions and number of convictions
- The age of any adverse or negative information, as well as the age of the candidate at the time of the incident.
- The relative threat to the security of NLTCC, other employees or students.

Prior to taking any adverse action, the Human Resources staff will give the candidate appropriate notice. This notice will allow the candidate to respond within 7 calendar days from the date of notification to the action being proposed with information relevant to the results of the background check.

The candidate whose background check is not satisfactory, upon his or her written request, shall have the right of access to the report received by the Human Resources Office. The request must be submitted no later than seven calendar days from the notice of an unsatisfactory background check in order to be honored.

If there is no response or change in status after seven calendar days, the candidate will be withdrawn from the candidate list. If the candidate is a current NLTCC employee, his or her suitability for continued employment with the college will be evaluated.

If the candidate satisfies all conditions of employment, the Human Resources staff will notify the hiring supervisor/manager that the candidate may now be given an unconditional offer of employment.

## **Confidentiality**

All background checks performed under this policy shall be conducted in strict confidence. Information obtained will be provided only on a need-to-know basis.

## **Questions**

Any questions regarding this policy should be directed to the Human Resources Office.

## **Exceptions**

Requests for exceptions to this policy must be submitted to the Appointing Authority with specific compelling justification.

Approved:

*Jayda Spillers*

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Chancellor