

## Employment Checking Procedures

Oklahoma State University acknowledges a responsibility to minimize the liability to the University and supervisors for negligent hiring; increase the safety and welfare of employees, students, and visitors; reduce financial costs of misconduct that result from poor hiring decisions; and maintain a positive public image of accountability to citizens of the State of Oklahoma and other constituents. OSU adopts a program of researching the experiences, credentials, abilities, and attributes of job candidates.

Oklahoma State University affirms respect for the privacy of individuals by conducting checks that are relative to job duties and maintaining confidentiality of such information. OSU avoids unreasonable intrusion into areas where individuals have a legitimate expectation of privacy. Specific checks are in direct proportion to the level of responsibility and potential risk of harm inherent in the position. A list of positions where criminal or other special checks are required for all finalists will be maintained in OSU Human Resources, and notification that such checks are required will be posted with the position opening. Additional criminal or other special checks will be conducted only after approval of the respective vice president. Credit checks will be conducted only where required by law or regulation or in such instances where the fiscal responsibility associated with the position is such that the appropriate vice president has determined the check needed. OSU will conduct any checks required by law.

The following statement sets forth the position of Oklahoma State University on employment checks:

*“Appointees to positions at Oklahoma State University are selected based on merit and qualifications for the positions for which individuals are recruited. Adequate reference checks will be conducted to satisfy OSU regarding the professional qualifications and credentials of the applicant. To this end, OSU reserves the right to access any records available to it under authority of law. OSU will protect privacy rights of individuals. Misrepresentation of fact in the application process will be sufficient grounds for termination of employment or cancellation of job offer without advance notice at any time.”*

This statement will be used on recruiting documents, where feasible. The current application used for classified staff has been changed to add this statement near the top of the application. The statement/release at the end of the application has been eliminated. The application will continue to require applicant’s signature and date, just as an applicant would sign a cover letter applying for a faculty or administrative/professional position.

The following statement would be added to the Recruitment Report, which is completed for all continuous regular positions (faculty, administrative/professional, and staff) and signed by the hiring official:

*“I affirm that adequate reference checks have been conducted regarding the professional*

*qualifications and credentials of the applicant.”*

These procedures, including the list of positions where criminal or other special checks are required or conducted, will be periodically reviewed and revised after input from the chairpersons of Faculty and Staff Advisory Councils.

## **Procedures for Securing Criminal Background Checks**

OSU Human Resources maintains a list of positions for which a criminal background check is required for finalists. In general, individual positions who have access to master keys were included on the original list. Criminal background checks are required of ALL finalists for positions on the list. A statement on the job posting indicates if a background check is required. This includes employees and outside candidates who are a finalist for one of these posted positions.

The positions are “marked” in the Staffing Services database so that Staffing Services can remind the hiring official of the requirement. The hiring official contacts OSU Human Resources at 744-7401, upon selecting the finalist for the open position and supplies the name (including maiden) and a telephone number where the applicant can be reached during the day. OSU Human Resources contacts the applicant to explain that s/he is a finalist for the position and that we are now requesting a background check. Staff will ask the applicant for the applicant’s social security number, birth date, race, and sex. Once sufficient information is received, OSU Human Resources will complete and fax an OSBI order to Oklahoma City. OSBI faxes a response, usually within 48 hours, to OSU Human Resources indicating whether or not the applicant has a record. If the applicant has no record, OSU Human Resources contacts the hiring official indicating that there is no problem in giving the applicant further consideration for employment.

If the applicant has a record, the information is reviewed by OSU Human Resources. Criteria used to determine eligibility for further hiring consideration is dependent upon the individual’s criminal record (type offense(s), frequency, time lapse, etc.) and the duties of the position for which the applicant has applied. A conviction record does not necessarily disqualify an applicant from consideration. In cases where there may be some question as to whether or not the record is sufficient to warrant disqualification from further consideration, additional information may be requested from the applicant. The applicant is entitled to view the report and is given an opportunity to provide additional information.

If the determination is made that the applicant is unsuitable for the position, the hiring official is notified. No details of the conviction are relayed to the hiring official. If the hiring official is unwilling to accept the decision not to hire the applicant, the hiring official can request an inquiry by a higher-level official. Specific information in the background check will only be discussed with a vice president, dean, or key department head.

The hiring official documents the recruitment file that a background check was conducted

by OSU Human Resources, and the applicant was found to be a satisfactory or unsatisfactory applicant. The background check is maintained in the confidential files of OSU Human Resources for the required three years and then destroyed.

Only the respective vice president may authorize a criminal background check on a finalist for a position not included on the list.

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