

## Everything you need to know about background checks

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A background check is a process used in verifying that a person is who they claim to be. Background checks provide an opportunity for someone to check a person's criminal record, education, employment history, and other past activities in order to confirm their validity. Background checks are utilised in different scenarios, and at some point as a hiring manager, you may have to conduct a background check.

### Why are background checks important?

It is nothing new for a candidate to exaggerate their qualifications in an effort to look more suitable and obtain a job. It is estimated that over 40% - 70% of resumes can contain false or exaggerated information, (George & Marett 2004). In approximately 2.8 million background checks conducted, about 30 – 40% of those revealed that most candidates misrepresented information regarding their education and work experience (Babcock, 2003).

The hiring of candidates with false information may prove to be a liability for your organization. These candidates may create financial and legal problems for your organisation which include hiring costs in replacing these candidates, and legal settlements that may come from any work conducted by these fraudulent hires (Babcock, 2003).

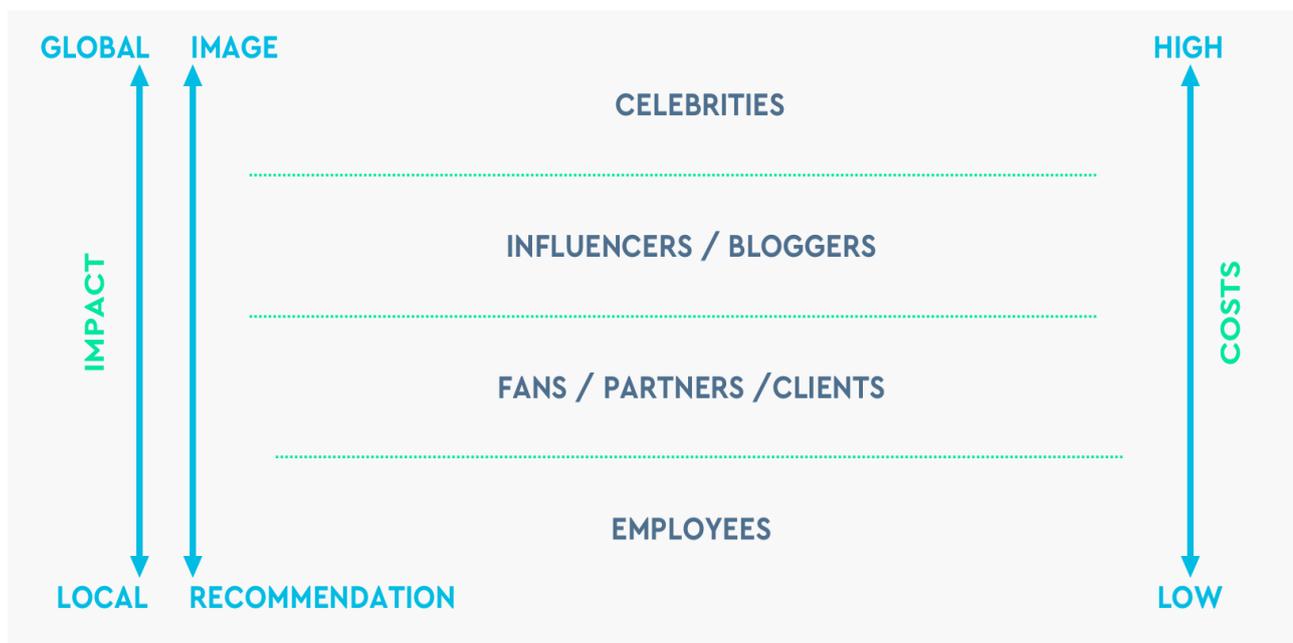
Apart from hiring candidates with false credentials, your organisation may fall victim to criminals if the recruitment process is not done thoroughly. If you unknowingly hire someone with a criminal background or currently involved in any kind of organised crime, you are putting not just your present employees but your customers, brand and entire company at risk. Especially if it is for a position that requires employees to handle confidential or sensitive company information, a thorough criminal background check is a must. The background check is therefore essential for avoiding harm or legal liability of various types to the employer or to others. This includes harm to:

- Other employees by sexual harassment or workplace violence.
- The organization's customers by, for example, sexual assault on business premises.
- The employer's business through financial loss or image and reputational issues

Fortunately, background screening and criminal background checks are available to recruiters and human resources professionals. Employers today have the right to learn more about the candidates they are about to commit to a legal relationship with. They also have the right to ensure that a potential new hire does not have anything in their past that could potentially harm the business or create a safety hazard for clients and other employees.

Why is this important, from a recruitment standpoint? For one, your candidate will be thoroughly screened to ensure that all the experience and credentials listed are accurate for the needs of each job order. Second, you'll be able to confidently present your candidate to the HR manager and be able to negotiate more effectively because you will know your candidate is who he or she is representing.

## What Information Can Be Included in a Background Check Report?



Source: [www.goodhire.com](http://www.goodhire.com) 1

Information included in a background check will depend to some extent on the employer and the job involved. For many jobs, a state or federal law requires the employer to conduct a background check. Jobs that involve work with children, the elderly or people with disabilities are examples of jobs that will almost certainly require a criminal background check. Some employers search social networking

sites such as Facebook for the profiles of applicants.

## 1. Social Media Background check

Many employers use search engines and social media to discover information about prospective and current employees. In some cases, that information, especially social media information from sites like Facebook and Twitter, has been used in deciding whether or to not to hire a candidate for a job or to fire employees. However, there are potentially discrimination issues involved. The line is complicated, but it is drawn when an employee's online activities are considered disloyal to the employer. This means that a Facebook post complaining about work is not punishable on its own but can be punishable if it does something to reduce business.

Despite social media checks coming in as one of the newest background checking methods, there has not been any positive correlation between social media presence and job performance (Sullivan 2018). In a study by Sullivan (2018), he found that 54 percent of employers admit to rejecting a candidate based on social media information (which is mostly non-job related and outside-of-work-hours content) while 22 percent of employers admit to rejecting candidates because of something as innocuous as an unprofessional screen name.

Since social media is a recent form of background checking, there has not been much research into how someone's online presence may have an impact on their job performance. This may be another disadvantage of using this method as there is no standard measure and the ultimate judgement may be clouded by the perspective employer's biases.

## 2. Employment history

Some people include false employment history on their resumes. Employers frequently discover lies embellishing job responsibilities. Other frequent falsehoods involve skill set, dates of employment, previous employers, and job titles and roles. HR professionals should contact previous employers to verify:

- Dates of employment
- Job title(s)
- Duties performed
- Circumstances of separation
- Education history

Employers may investigate past employment to verify position and salary information. Past employment and personal reference verifications are moving toward standardization with most companies in order to avoid expensive litigation. These usually range from simple verbal confirmations of past employment

and timeframe to deeper, such as discussions about performance, activities and accomplishments, and relations with others. The past experiences and the companies which have provided these experiences are also verified and researched upon to detect frauds.

### **3. Criminal history**

Increased use of criminal background checks by employers to pre-screen job applicants stems from the growth of claims alleging that an employer was negligent in hiring or retaining an employee who subsequently engaged in workplace violence or some other act that resulted in harm to a person (e.g., sexual assault) or property (e.g., theft). Many organizations also perform criminal background checks on current employees, either as a matter of course or prior to a promotion, transfer, or other change in the terms and conditions of employment.

Police verification is conducted in the police jurisdiction of the address where the individual resides. This may be permanent address or temporary address of residence. However, if the individual would have committed a crime in areas other than the area of residence, the cases might not be found during police verification and the criminal might get an easy pass.

Through a combined police verification and court records check, any company can find out if a civil court case or criminal court case has been filed against a candidate, and/or verify if he or she has provided correct details about themselves. This will ensure that no candidate who is a threat to the safety and integrity of the company is hired.

More than 69% of employers conduct criminal background checks on employees (Society of Human Resource Management, 2012). While background checks are there to safeguard companies and protect their interest, they may also be used in discriminatory ways. In 2012, PepsiCo settled discrimination charges brought by the EEOC, agreeing to pay a \$3.1 million fine and to change its screening policy after it was charged with discriminating against African-Americans by using criminal background checks, in some cases barring applicants who had been arrested but not convicted (Adams, 2013).

### **4. Drug Screening**

Drug screening tests biological samples from your body (blood, urine, hair, saliva, etc.) to look for chemical residue in the body. Today, around 70% of all employers conduct these tests. Supporters of employment drug screening say keeping a drug-free workplace is important for the safety of both workers and customers. It lowers on-the-job risk, which may help a company get a better insurance rate (Society for Human Resources Management, 2012). According to The Society of Human Resource Managers (2012) people that use substances “generally are not ideal employees,” are 10 times more likely to miss work, and are 33% less productive.

### **5. Driving record background check**

Following a conditional offer of employment, a motor vehicle record check will be conducted on all final job candidates for whom driving a motor vehicle is an essential job function. Thereafter, checks

will be run annually for these employees. Motor vehicle record checks will also be conducted on employees who will be covered by company insurance to drive rental vehicles during business travel.

The company will review motor vehicle records and decide as to drivers' status for applicants and employees according to the companywide classification system listed below:

### **Satisfactory**

The individual is eligible to drive while conducting company business. His or her driving record indicates not more than one moving violation in the past 12 months.

### **Probationary**

The individual is eligible to drive while conducting company business with the stipulation that the individual's motor vehicle record will be checked periodically over a period of probation. His or her driving record indicates more than one moving violation in the past 12 months but no more than two moving violations in the past 24 months. Any violations during the probationary period may result in termination of employment or other disciplinary action.

## **Which Information may not be found in a background check?**

### **Medical records: Legal with limits**

Unless their medical history directly impacts an employee's ability to do their job, such as when joining the military, medical history should not be part of a background check. The Americans with Disabilities Act (ADA) for example, limits the medical information that an employer can legally gather during an interview or background check. The ADA makes it illegal for employers to discriminate in hiring decisions based on an applicant's medical history or disability status.

### **Credit checks: Legal with consent**

The Fair Credit Reporting Act requires that an employer obtain written consent before requesting a worker's credit report. The FCRA also requires that employers inform workers if the information in their credit file is being used against them. If a business refuses to offer employment based on a credit report, it must give that reason explicitly, along with the name, phone number and address of the credit reporting bureau that provided the information. This allows applicants to correct potential misinformation before a final hiring decision is made.

### **Protected information: Illegal**

Under Title VII of the Civil Rights Act, certain protected information should never be a part of a hiring decision for both potential and current employees. Protected information includes age, race, ethnicity, sex, religion, national origin, disability, marital status and pregnancy. It is illegal for an employer to ask

about these characteristics during a background check, interview or performance review.

In a more competitive job market, job seekers are more likely to exaggerate or hide certain aspects of their histories in order to appear more attractive to recruiters. While some of these actions are fairly obvious to the trained recruiter, not all will be easy to spot until the background check takes place. An employee background check reviews a candidate's work history and educational verification criminal records, driving records, and whether they are on a terror watch list or sex offender registry. A background check is essential in showing if you are who you say you are and whether there are any red flags in your personal or professional history. Hiring managers should embrace the use of background checks, however taking note that they do not engage in discriminatory practices.

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<https://thehumancapitalhub.com/articles/Everything-You-Need-To-Know-About-Background-Checks>