

## Background Check Policy Guidelines

### Background Check Process:

- Applicant is selected by the hiring department and cleared by Columbia University Human Resources (CUHR) or Columbia University Medical Center HR (CUIMC HR).
- The background check is initiated only after a conditional offer of employment is made.
- Department initiates the background check (via email with the e-link or manually).

**For CUIMC only:** All background checks are initiated by CUIMC HR.

- CUHR/CUIMC HR reviews the report and notifies the department/school if the selected applicant has cleared the background check or the report revealed a potentially disqualifying alert. In the case of a potentially disqualifying alert, CUHR/CUIMC HR will initiate the adverse action process (see below).
- If the applicant is cleared by CUHR/CUIMC HR, Department will receive a clearance email and can move forward with the hiring process.

**Note:** Applicants are not permitted to begin working until the background check clearance is issued. The clearance email will need to be included with the hiring documents.

### CUHR Clearance Requirements

Category	Submitter	Criminal (Includes Sex Offender)	Education	Employment
Support Staff	Department	X	X	X
Officer of Administration	Department	X	X	X
VHO	Department	X	X	X
Casual (Non-Students)	Department	X	X	X
Protection of Minors	Department	X	NA	NA

### CUIMC Clearance Requirements

Category	Submitter	Criminal (Includes Sex Offender)	Education	Employment	Drug	Medical Surveillance
Support Staff	CUIMC HR	X	X	X	X*	Special Indicators
Officer of Administration	CUIMC HR	X	X	X	Joint Commission Only**	Special Indicators
VHO	CUIMC HR	X	X	X	Joint Commission Only**	Special Indicators
Casual	CUIMC HR	X	X	X	Joint Commission Only**	Special Indicators

CU Student Casual	CUIMC HR	Joint Commission Only	Joint Commission Only	Joint Commission Only	Joint Commission Only**	Special Indicators
Visitors (Clinical or Administrative)	Department	X			Joint Commission Only**	Special Indicators
Visitors (CU Affiliated Student)	Department	Joint Commission Only			Joint Commission Only**	Special Indicators
Visitors (Research)	Department	Joint Commission Only			Joint Commission Only**	Special Indicators
Temporary Agency Staff	Department	X	X	X	Joint Commission Only**	Special Indicators

*\*Department Schedules Drug Test Through Third Party Vendor*

*\*\*CUIMC HR Schedules Drug Test Through NYP WHS*

## Adverse Action Process

### Pre-adverse Actions

In the event the results of the background check search contain adverse information, CUHR/CUIMC HR will initiate the following pre-adverse actions:

- The department/school and the applicant will be informed of the potentially disqualifying alert.
- A Pre-Adverse Action letter along with the Summary of Rights and report will be sent by the Background Check Vendor to the applicant.
- The applicant will have five (5) business days to dispute and resolve the potentially disqualifying information.
- CUHR/CUIMC HR will review the information and documentation submitted by the applicant and will either: 1) clear the applicant, or 2) move to the final adverse action process (see below).

**Note:** Any information that is falsely reported or omitted by an applicant or an employee may be cause for withdrawal of an offer of employment, promotion or transfer and/or cause for termination of employment and disqualification of future hire.

### Final Adverse Actions

The Final Adverse Action process occurs when a determination has been made to revoke a conditional offer of employment due to one of the following:

- Applicant fails to provide requested information in a timely fashion.
- Information provided in the employment application, resume or other hiring documents have been falsely reported or omitted by the applicant.
- Criminal record indicates a direct relationship between the criminal offense committed and the position.
- The applicant poses an unreasonable risk to property or the safety or welfare of others due to the nature of the conviction.

- If the conditional offer of employment is withdrawn, the applicant will be provided with a Fair Chance Act Notice (Article 23-A Evaluation Form). The applicant will have three (3) business days to provide additional information for consideration. The additional information is then reviewed by CUHR/CUIMC HR, a final determination is made, and the applicant and the department are notified.

**Note:** This action is subject to Federal, State and City laws including but not limited to the New York State's Fair Credit Reporting Act and the Fair Chance Act.

### **Evaluation of Applicants with Prior Convictions**

In evaluating applicants with prior convictions, the following factors will be considered. No single factor will determine the outcome of the hiring process by itself; each factor will be considered and weighed in light of the others.

- The public policy of New York State, as expressed in Article 23-A, to encourage the employment of persons previously convicted of one or more criminal offenses.
- The specific duties and responsibilities necessarily related to the employment sought or held by the applicant.
- The bearing, if any, the criminal offense or offenses for which the applicant was previously convicted will have on his or her fitness or ability to perform one or more such duties or responsibilities.
- The time that has elapsed since the occurrence of the criminal offense or offenses.
- The age of the applicant at the time of occurrence of the criminal offense or offenses.
- The seriousness of the offense or offenses.
- Any information produced by the applicant, or produced on his or her behalf, in regard to his or her rehabilitation and good conduct. In conducting this evaluation, consideration shall be given to any certificate of relief from disabilities or certificate of good conduct issued to the applicant. Such a certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.
- Columbia's legitimate interest in protecting property, and the safety and welfare of specific individuals or the general public.

Consideration may also be given to whether the applicant was truthful and forthcoming with information during the application process, including providing proof as requested by the University and/or the Vendor.

## **Handling Rehires, Internal Transfers, Promotions and Reclassifications**

### **Rehires**

Rehires with a break in service of more than six consecutive months, will be required to undergo a background check.

## Internal Transfers/Promotions/Reclassifications

Current employees whose position changes as a result of a transfer, promotion, or reclassification may be required to undergo a background check, including if one was not conducted when initially hired or if a new background check is needed because of the nature of the position.

**For CUIMC:** Current employees transferring to or within CUIMC, hired on or after 1/1/2010, will require a background check if one was not conducted at the time of hire.

## Exceptions to Background Check Requirements

- Columbia, Barnard, and TC students are not required to undergo a background check (Except after graduation and/or working in a program subject to CU Protection of Minors policy).
- High School Students
- Individuals under the age of 18

## Roles and Responsibilities

### Hiring Department:

- Makes conditional offer to selected applicant
- Sends email invite with e-link to the applicant or provides Consent Forms , Summary of Rights, NYS Article 23A to the applicant when following the manual process. For CUIMC: CUIMC HR sends email with e-link directly to the applicant.

### CUHR:

- Oversees the background check process
- Communicates results of background checks in a timely fashion
- Resolves discrepancies

### Applicant:

- Provides an accurate and completed employment application, resume and appropriate form(s)
- Responds and provides information and/or documents to the background check vendor in a timely manner
- Is forthcoming with information prior to and during the background check process

## Confidentiality

Details regarding a background check will be treated on a need-to-know basis. Departments will receive notification from CUHR when the applicant has been cleared or if an adverse action needs to be initiated. The use of information obtained by this policy will be in compliance with all applicable laws.

## Record Retention

All documents related to the background screening process must be retained for at least five years. Background check reports will be stored in a separate and secured location with limited access.

## Contacts

[Labor Relations and Client Services](#)