

Special Interest Articles

Implementing A Comprehensive Criminal Background Check Process

Salary Benchmarks for Bachelor's and Master's Degree Candidates

Upcoming Events

Employer Services

Next "Finding Talent" Event

April 15, 2010

Internet Tools to Source, Network & Recruit

8:30 - 10 a.m.

200 S. Wacker Drive

Chicago

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Helping employers find experienced talent



Implementing A Comprehensive Criminal Background Check Process

Criminal background checks have become a vital part of the employment process. These checks are used by employers as a mechanism to reduce negligent hiring lawsuits and to assist employers with screening out the undesirable or dangerous candidate, according to articles written by the National Association of Professional Background Screeners (NAPBS) and employment law attorneys Tony Ramos and Charles Krugel.

Performing a background check that is accurate, comprehensive, consistent, timely and legal is critical yet difficult because the process is not regulated and the processes vary between states and counties. For these reasons, as well as cost, many companies choose to use vendors whose sole purpose is to conduct background screening. This article will provide information on vendor selection, legal requirements and strategies for processing a comprehensive, accurate and thorough criminal background check.

Vendor Selection
From a cost and legal

perspective, attorneys Ramos and Krugel recommend that a company research vendors and choose a screener and screening method based on what the company needs. Consider a vendor who can clearly explain the screening options and their limitations. According to Ramos, the consequences of choosing a bad screening vendor can be worse than hiring the wrong employee. Ramos provides the following tips:

1. Select a vendor who can demonstrate a national hit rate of at least ten percent because the hit rate is the most effective way to determine the quality of the service. As a rule of thumb, for every 100 applicants screened, the vendor should be finding at least 10 with a criminal record.
2. A Social Security trace will help validate the number and provide up to 10 years of past residential history and names or aliases used.
3. Counties to be searched should be selected based on the results of the trace and never from the job application. This will also provide the most accurate and current information available.
4. Include a national criminal database search for a more comprehensive program. It's important that any database

findings be verified by court records before acting upon them. Also, databases searches should only be used to supplement an actual court record search and not in place of it.

5. Make sure your vendor is fully compliant with the Fair Credit Reporting Act (FCRA). This will provide additional protective immunity against some civil lawsuits.

Continued on page 2

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Implementing A Comprehensive Criminal Background Check Process

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6. Many factors determine the actual cost, such as volume and types of screening options. However, the cost for a background check ranges between \$ 20 to \$ 35 per person.

Legal Requirements

Employers must follow certain legal requirements when using a vendor for background checks. According to the NAPBS, employers must disclose the background check in writing to the applicant and receive a written authorization from the applicant prior to ordering the report. Employers must agree that the information obtained in the report will not be used in violation of any federal or state equal opportunity law or regulation. Additionally, employers must agree to comply with the "adverse action" requirements.

The NAPBS article defines an "adverse action" as a denial of employment or any other decision that adversely impacts any current or prospective employee (e.g., termination, denial of promotion, failure to hire, etc.). According to the NAPBS, before an employer takes any adverse action, it must provide the applicant or employee with a copy of the report and a summary of the consumer's rights under the Act. After providing these documents, the employer must wait five days before providing the actual notice of the adverse action.

Strategies for Searching

Ensuring a background check is complete, accurate and as thorough as possible requires the employer to obtain as much identifying information as possible, including maiden and former names, middle names and initials and any other name by which the person is known, according to the NAPBS. The NAPBS also recommends asking for both current and past addresses, going back as many years as will be searched. The more information available to identify a person, the easier it will be to locate the correct criminal records and avoid mistakes. Conducting a search for records in several different locations and cross-checking databases will provide the most comprehensive searches. Despite these efforts, it is still possible for an employer to receive a report that is incomplete or inaccurate. Therefore, by law, an employer must give the applicant an opportunity to come forward with additional information concerning the report. According to NAPBS, this opportunity arises in between the two adverse action notices. The process is as follows:

1. The employer must give a copy of the report to the individual before taking adverse action.
2. During the waiting period that follows and prior to the employer actually taking the

adverse action, the individual must have an opportunity to bring forward additional information.

Ultimately, the intent of a background check is to help employers make informed decisions about whether an individual will contribute to a safe and productive workplace. According to NAPBS, employers can create and maintain an efficient and effective background screening process by understanding the scope of what a background check is, understanding how to conduct one legally, knowing what sources of information are reliable and knowing what to do when the accuracy and/or completeness of information is called into question.

SOURCES:

National Association of Professional Background Screeners, "Criminal Background Checks for Employment Purposes," Web site:
http://www.napbs.com/images/pdf/NAPBS_White_Paper_of_Criminal_Background_Checks.pdf

Tony Ramos and Charles Krugel, "Employee Screening and Risk Assessment," Web site:
<http://www.charlesakrugel.com/labor-and-employment-law/employee-screening-and-risk-assessment.html>

"According to attorney

Ramos, the

consequences of

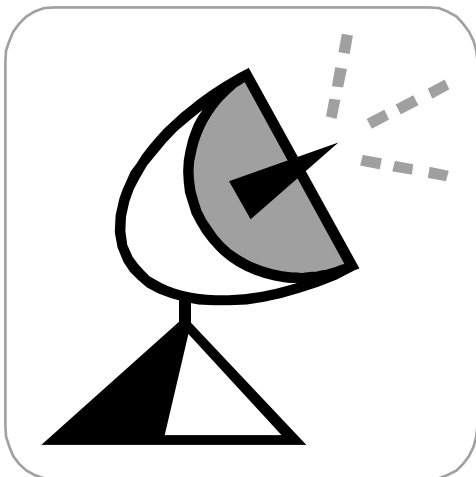
choosing a bad

screening vendor can be

worse than hiring the

wrong employee."

University of Illinois Career Fairs



UIC Graduate and Professional School Fair

Date: Oct. 8, 2009
 Contact: agarza@uic.edu

Chicago Alumni Job Fair

Date: Oct. 22, 2009
 Contact: www.myworkster.com/jobfair

Illinois College of Business Career Fair

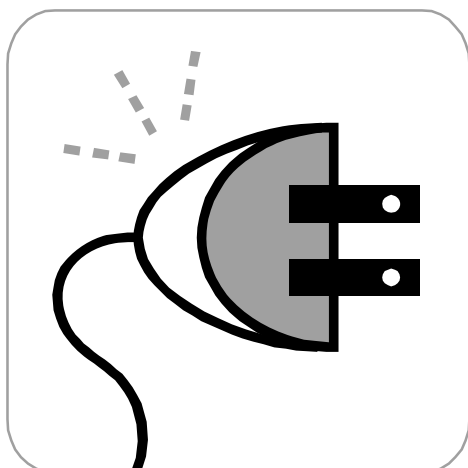
Date: Feb. 2-3, 2010
 Call: 217/ 265-0864

Illinois College of Engineering Career Fair

Date: Feb. 9-10, 2010
 Call: 217/ 333-1960

UIS 2010 Springfield Collegiate Career Fair

Date: Feb. 18, 2010
 Contact: 217/206-6508



2009 TRENDS IN RECRUITING CONFERENCE

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Salary Benchmarks For Bachelor's and Master's Degree Candidates

To attract and retain top talent your organization must know what the market is paying and then re-evaluate your compensation package with fair and comparable salary information. The following data will help by providing the 2008-09 mean salaries accepted by Illinois students and reported by the Illinois and UIC Business Career Centers.

	Bachelors		Masters	SOURCES:
	UIC	Illinois	Illinois	
Major				UIC College of Business Administration, Undergraduate Employment Survey Report, http://www.uic.edu/cba/ugrad/Documents/salary_survey08_09.pdf Illinois Business Career Services, 2008-2009 Employment Profiles, http://www.business.illinois.edu/bcs/pdf/Employment_Profile.pdf
Accounting	\$47,000	\$55,067	\$55,000	
Finance	\$40,600	\$52,887	\$50,390	
General Management	\$36,500	\$46,357	NA	
IDS / Information Systems	\$46,000	\$56,143	NA	
Marketing	\$37,000	\$47,095	NA	
Function				
Accounting/Audits	NA	\$55,142	\$55,735	
Consulting	NA	\$56,000	\$55,792	
Finance/Accounting (Private)	NA	\$51,514	\$51,460	
Finance/Treasury	NA	\$55,035	\$56,875	
General Management	NA	\$45,224	\$75,500	
Information Systems	NA	\$55,667	\$57,000	
Investments	NA	\$62,083	\$65,000	

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"Finding Talent" Series

Through the "Finding Talent" newsletters and events, the University of Illinois Alumni Association Alumni Career Center aims to offer networking and professional development opportunities for people with hiring, interviewing or recruiting responsibilities. The series has covered a wide range of topics, including technology

tools, trends, marketing and behavior-based interviewing.

"Finding Talent" has something to offer both new and seasoned recruiting professionals. Events are hosted in the spring and fall. Please e-mail Bernice Allegretti with your topics of interest or if you would like to share your expertise as a presenter.

SAVE THE DATE

Next "Finding Talent" event
April 15, 2010
8:30 – 10 a.m.

Internet Tools to Network, Source & Recruit

200 S. Wacker Drive, Chicago

RSVP: ballegre@uillinois.edu

Thank You to Our "Finding Talent" Presenter

The Alumni Career Center extends our appreciation and thanks attorney Charles Krugel from Labor & Employment Law & Human Resources Counseling on Behalf of Management, for presenting information concerning key legal issues recruiters and HR professionals are likely to encounter regarding background checks and issues concerning the emerging and still maturing E-social & E-professional networking media. Charles' legal expertise added to the professional quality of the "Finding Talent" employer program series.

Charles Krugel may be contacted at cak1@charlesakrugel.com



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