

Pre-Employment Screening – What You Need to Know

Let's pretend that you're a hiring professional working in a medium to large sized company. You have placed your ads for a new employee on all the important sites, and the response has been fantastic. After weeks of interviewing, you decide on one person and offer him or her the job, contingent upon the results of a background screening.

So now what do you do? Most likely, your company has already set up some kind of a screening process, but how much do you really know about it? Do you know what kinds of searches are being performed? Do you understand what the search actually does, where it searches, what it looks for, and what the results contain? Has your screening company told you what constitutes a thorough background screening? I'm sorry to be the one to tell you, but the answer is probably not. I imagine that the conversation went something like this:

Hiring Professional (HP) - "Hello, I need some help screening my candidates. I Googled background checks and found your company."

Screening Company (SC) - "Great, we can help you out. What kinds of searches are you interested in performing?"

HP - "Well, I need their criminal background checked."

SC - "We can do that. We offer a national search that includes sex offender registries covering all 50 states. It sounds like it would be good for you, and it only costs \$20."

HP - "Really? Wow, I would have thought it cost more than that. What do I need to do to sign up?"

Now be honest; I know this is a really shortened version of the conversation, but the gist of it is probably pretty accurate. I've been in this business for long enough to know how the sales process works; the sales force is encouraged to give as little information as possible on what really happens with the search, and the accuracy of it. You may be asking yourself why that is, and it's simple: the profit margin

on the database searches is extremely high, and the results are instant.

Hiring professionals and coordinators of volunteer programs are often impatient; they want to get the results back, hire the individual and move on to the next project as quickly as they can, and as cheaply as possible. Does this cover your butt with the bosses? Yep, it sure does, until there is either an issue with the employee, or new information on their past comes to light. The results from this can be disastrous.

What is Wrong with Background Screening?

There are several things that are "wrong" with the background screening industry. Some of the issues stem from misinformation, and some stem from bad business practices. But the bottom line is that most of the companies in the United States are not getting good information.

The biggest issues are the misconceptions concerning database searches. There are companies all over the place that sell criminal record searches that are "national". But there is no such thing as a national database search, period. Even the famous FBI database search, the NCIC, has flaws. In 2005, the National Association of Professional Background Screeners (NAPBS) commissioned a study on the accuracy of the NCIC and the results were shocking to say the least. The study found that in a significant percentage of searches, the FBI database returned erroneous or incomplete information. The study found that the FBI data lacks proper identifiers to credibly link a criminal record with the subject of the investigation.

Another finding concerned the large number of missed records and false positives generated. For example, when analyzing a sampling of 93,274 background checks in the state of Florida, the research revealed that the FBI database missed 11.7 percent of the criminal records that it should have identified. Even worse, of the more than 10,000 criminal records found, 5.5 percent were falsely attributed to those that were not convicted of a crime.

The statewide databases are suspect as well. For instance, did you know that the State of Texas does not require, by law, its counties

to report their records to a state repository? If you are a company here in Texas, and you are performing a statewide search, the news is not good. The Texas statewide search is estimated to be only 60 percent accurate. How is that for comforting? Florida also has severe issues with its statewide database, yet there are companies that still access that Florida state database. Guess what? That database has not been updated since December of 2002, and it's no longer being updated. Florida has changed its statewide search; you now have to access the FDLE (Florida Department of Law Enforcement) to run a statewide search, and the cost of running that search is significantly higher.

The problem with the national database searches is that the information contained in those searches is only as good as the information put there, and also how often the information is updated. Here is something to think about. The ONLY difference in the national database searches is the number of data sources that the company uses to get the information. The information all comes from the same source. As far as the updating of these databases goes, ON AVERAGE the records are updated only on a monthly basis. However, they are typically only updated quarterly or annually.

You may be asking yourself what does this have to do with me and my situation? Simply put, you are going to miss records. Let's say that you interviewed a promising candidate on Monday. He or She feels like they nailed the interview and that you're going to hire them for their dream job, so they go out with their buddies to the local sports bar to watch Monday Night Football. Several hours, and several celebratory beers later, they leave the bar and get arrested for driving under the influence (DUI). As the hiring company that uses a database search, at best, you will not know about it for 30 days after the date of arrest. How are you supposed to make an informed decision based on outdated criminal information? You can't.

What Makes A Thorough Screening?

If you ask any reputable background screening company what you need to do to make sure that you're screening candidates thoroughly, you would probably hear the same thing over and over again, with small variations. First of all, you need to understand that the ideal background search is accurate, comprehensive, consistent,

timely, and of course legal. Coordinating all of these factors is expensive and time consuming (usually one to three business days). But getting the most up to date and accurate information available on your candidates is too important to the employment process to let budgetary or time constraints limit the process.

The general rule of thumb is to plan on spending about two days of the candidate's salary on a good background screening. Is it always going to cost that much? No, most of the time it will be much less, but depending on where the person has lived, and what searches you order, it may get close. If your company is not spending anywhere near this amount, you may need to check into exactly what you are getting for your money. Call your screening company and ask them to give you search descriptions for all the searches that you are currently performing.

Maybe the most critical search in the process is the Social Security Number trace. This search gives the screening company all the information that is needed to run a thorough screening for you. It tells them whether the social security number that the individual gave you is valid, and it tells the year and the state it was issued in. Most importantly, it gives every address, in every city, state and county that the person has resided in. You would be surprised how many candidates omit the places that they have been in on their applications. No matter what searches you do, no matter what company you use, make absolutely sure that you run this search.

Next, take the information that was gained from the Social Security Number trace and run county level criminal searches. It is recommended that you run AT LEAST the most recent counties of residence in the last seven years. To be very thorough, run every county of residence in the last 10 years. The beauty of these searches is that the county level is where the records originate from; there is no delay in getting the information from the court to the county clerk. A good screening company will have a researcher physically go to the courthouse, search the name, date of birth and Social Security Number, pull the file on your candidate, and report back on their findings. The county level searches are the only way to get the most accurate and up to date information available. Are they more expensive? Sure they are, but are they worth it to you and your company? You bet.

The Fair Credit Reporting Act (FCRA) governs what a screening company can and cannot report back to you. Within a seven year

scope, screening companies can report back to you anything that is on the record. That means you will get arrests, convictions, deferred adjudications, not guilty verdicts, pretty much everything that shows up. After seven years, all you will get is convictions.

Once the county level criminal searches are complete, then it is time to run your ancillary searches. These would be selected by you, the employer, and would depend on the position you're hiring for. For instance, you would want to run a sex offender registry search in all states of residence if your candidate is going to be working with the elderly or with children in any capacity. A motor vehicle report would be important to you if the person will be driving for the company for any reason. If you were hiring an accountant, run a pre-employment credit check on them. If they can't manage their own money, do you really want them managing yours? There are a lot of ancillary searches, including credit checks, sex offender registry searches, violent offender registry searches, motor vehicle reports, workers compensation searches, civil records, drug screening, and education and employment verifications.

Some employers prefer to do their own employment verifications, but others have found that it is more cost effective to outsource that part of the hiring process to screening companies. Also, many employers don't perform civil searches at all, while others want to know if their candidate has ever been sued for anything. It's a matter of preference for employers on how much they would like to know. For instance, if you interview a candidate, run a background check and come up with several old charges, you may want to run a federal criminal search as well, just to make sure that he/she has never been prosecuted on federal charges anywhere.

What to Look for in a Screening Company

When it comes to finding a company to work with, there are several factors to consider. You have to find a company you feel comfortable with, and that you feel you can trust. After all, you will be sending them very sensitive information, so identities of individuals are at stake here. You also want to ask that company to send you either a sample report, or to run a couple of free searches for you so that you can familiarize yourself with their process and get a first hand look at how thorough their searches are.

If you decide to ask them to run a few free searches for you, make sure that you send them over information on someone that you already have results on, that way you can check them against what you already know. Ask them if they are a member of the NAPBS. Most reputable companies are, and they are proud of it, so they will usually have the NAPBS logo on their site. However, the easiest way to find a member of NAPBS is to go to their website at www.NAPBS.com. On that site there is a link that you can use to find a background screening company in your area.

Make sure you ask a lot of questions. Ask them about their online security measures, how you submit your requests, how they return your results, and the process that they use for ensuring accuracy. Let them know how important this is to you. Have them walk you through the ordering process online for the first couple of searches to make sure that you understand how it all works. They should have no problem giving you a demonstration even before you sign up. Ask if they have a contract, because some companies do, and some don't. If they don't have a contract, they should at least have a service agreement that basically says that they are going to abide by the FCRA, and they assume that you are going to do the same.

Find out what other resources they offer. Do they have a glossary of terms? How about downloadable release forms? Check to see if they have downloadable pre-adverse action letters, and adverse action letters. In order to be compliant, you'll need all of these. What are their identifiers to make sure that they have the right person? Are all of their searches done in "real time" or do they rely on databases? If you decide to run a database search, ask them to send you a search description that details everything that is covered and where the data comes from.

All of these things will help to make sure that you are keeping your employees and clients safe. These days, the only thing you can be sure of is that when it comes to people, you just never know.

Kevin Conrad is the President and Owner of Complete Security Investigations in Dallas Texas. He is a licensed private investigator. His contact information is available at www.csidfw.com

