



## Three Important Questions about Your Employment Screening Practices

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- Turnaround Time
- Regulatory Compliance
- Adequate Protection for Your Organization

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**Question 1: Does your background check turnaround time support your organization's time to hire objectives?**

Turnaround time begins when a background check is submitted to your screening service provider and ends when the provider delivers a completed report for review. Most employers conduct an employment screen after an offer has been made and accepted, and they hope the report is completed before the planned new hire start date. Otherwise they are faced with two less than optimal choices; delay the start date, or allow the new hire to start before the background check is complete.

Turnaround time is a function of three major factors:

1. The contents of the background check are a key factor in turnaround time. Certain types of searches inherently take more time. Examples include employment and education verification, statewide criminal record checks, some county criminal record checks, and international searches.
2. Another significant factor is the service provider's staffing level. In periods of peak volume, some firms are inadequately staffed, and background check orders go unattended for hours or even days.
3. A third factor is the provider's automation with information sources. If the screening provider does not have a substantial amount of direct integration with information sources, additional time will be required to acquire and review information.

At Inquirehire we help our clients understand which searches take more time so they can plan appropriately. We intentionally staff our research department for peak volume rather than average volume. This enables us to make sure our client's orders get the attention they need, even during periods of peak volume. Inquirehire only chooses information sources that can meet our direct integration requirements so no time is wasted with inefficient systems or methods. We tell our clients to expect a turnaround time of 24 to 72 hours, unless they require certain searches. For 2015, our overall average turnaround time 14.5 hours.



**Question 2: Are your processes and procedures compliant with local, state, and federal law?**

Employment screening is a highly regulated activity, with constant changes and additions at the local, state, and federal levels. In this complex environment, the opportunity for a regulatory violation is increasing and has not gone unnoticed by plaintiff attorneys. Class action litigation involving employment screening has increased by 500% in the last few years. Plaintiff attorneys now consider employment screening as lucrative as wage and hour violation lawsuits.

Most regulatory violations are administrative in nature. The most common violation stems from using an outdated disclosure and authorization form with language that is not compliant. Other common class actions involve the adverse action notification process. Both of these represent administrative errors, but employers can be fined thousands, or even millions of dollars, if they cannot demonstrate that the activities have been performed in accordance with regulations.

Other regulatory violations can involve the use of records or information that is illegal to consider for employment considerations. Several states and municipalities have passed laws restricting the use of certain types of records. Some examples include juvenile convictions, arrest records, criminal convictions more than 7 years old, expunged records, first time offender criminal records, and credit reports. If the employer views this restricted information, it is impossible to “unsee” an illegal record, and therefore it is difficult to prove that it was not a factor in the hiring decision.

Inquirehire is an accredited background screening firm. To earn and retain accreditation, Inquirehire must demonstrate to an independent auditor that we understand and follow the municipal, state, and federal regulations for employment screening. In addition we must demonstrate in the audit that we provide educational services to our clients in order to help them adhere to the applicable employment screening regulations. We extend our educational services beyond our client base and provide no charge educational presentations to many SHRM chapters, industry associations, and other related groups with an interest in our material. Inquirehire staffs a full time compliance officer to monitor the regulatory changes and make sure that our practices, procedures and educational activities meet these regulations. The compliance officer provides regular and frequent training to all Inquirehire personnel to insure their understanding of and compliance with the regulations.



### **Question 3: Are you doing enough to protect your organization from a costly hiring mistake?**

Background screening involves the collection of data from various sources of information. Many of these sources are maintained by government agencies or departments at the local, state, or federal level. In the United States there is no single source where all information about a candidate resides. Instead records reside in several locations, with some of the records in multiple places and others only in a single source or agency.

Employers should conduct background checks that include all the information that is legal and job-relevant to the position that is being filled. Some questions to consider:

1. What is the right criminal record check? How do I know the differences between criminal records that are stored at the county, state, and federal level?
2. When is a credit report legal and job-relevant?
3. What is the difference between employment verification and professional references? Should we have both, and under what circumstances?
4. When is a driving record check appropriate?
5. Is social media screening legal? When is it job-relevant?
6. Should we conduct substance abuse testing? What are the rules that we must follow?
7. Are there any required or recommended searches that are specific to our industry?
8. We use non-compensated volunteers. What should we do for these positions?

At Inquirehire, we serve more than 2,000 employers in virtually every type of employment and volunteer situation. We can help your organization answer these questions, and more, so that you are conducting the right searches and prevent costly hiring mistakes and potential litigation. Working together, we will suggest the right background check that will satisfy all relevant regulations, while meeting your recruitment turnaround time needs, and fitting within your budgetary limitations.

## About Inquirehire

Inquirehire is a leading provider of integrated hiring solutions for business, government and non-profit organizations. We offer our clients best in class solutions backed by in-depth subject matter expertise, innovative technology, and unparalleled service. This powerful combination enables our clients to transform and optimize their hiring process in order save time, money, and avoid costly hiring mistakes. Our services include employment and volunteer screening, aptitude and behavioral assessments, social media screening, professional reference checks, substance abuse testing, and web-based applicant tracking and onboarding systems.

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