



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Background Investigation Policy

Creation Date: April 30, 2008

Revision Date: May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: BACKGROUND INVESTIGATION POLICY

The City of El Paso believes that it is beneficial for the organization to conduct criminal and background investigations on applicants for City employment. Background checks serve as an important part of the selection process at the City. This type of information is collected as a means of promoting a safe work environment for current and future City employees and the public at large. Background checks also help the City obtain additional applicant related information that helps determine the applicant's overall employability, and ensuring the protection of current employees' property and information of the organization and the public.

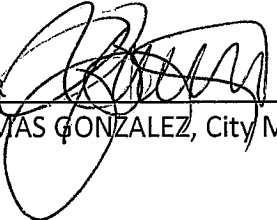
- A. The City requires a criminal and background check for all candidates, employees and volunteers upon hire, once a conditional offer of employment has been extended.
- B. Although a disqualification is possible, in accordance with federal and state laws, a previous conviction does not automatically disqualify an applicant from consideration for employment with the City. Depending on a variety of factors (for example, the nature of the position, the nature of the conviction, the time since the conviction occurred, the age of the candidate when the illegal activity occurred, and other considerations that may be set forth in the City's application policy), the candidate may still be eligible for employment with the City.
- C. If an applicant attempts to withhold information or falsify information pertaining to previous convictions or background information, the candidate may be disqualified from further employment consideration in any position with the City due to falsification of an application. If it is learned that information was withheld or not fully disclosed, the candidate will be disqualified from further employment with the City.

- D. The City recognizes that its need to investigate potential employees' criminal histories and backgrounds must be balanced with the need to protect employee privacy. It is therefore prohibited for City employees and agents of the City to seek, use, or disclose background information except within the scope of their assigned duties.

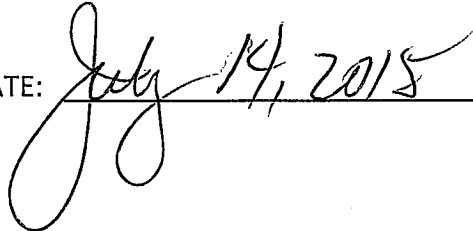
- E. All candidates for employment must voluntarily consent to the release of information which may include conviction and non-conviction data and investigative consumer reports, also known as reference checks, which may include information as to character, general reputation, personal characteristics and mode of living. Additionally, candidates agree to release the City of El Paso and/or its agents from any and all liability and/or damages that may result from these processes.

- F. The Fair Credit Reporting Act gives individuals specific rights. In accordance with the Act, if the City relies on a report for an adverse action, before taking the adverse action the City will issue the affected individual a pre- adverse disclosure which will include a copy of the report and a copy of the document entitled "A Summary of Your Rights Under the Fair Credit Reporting Act". This policy does not apply to Public Safety employees serving in uniformed services.

APPROVED BY:

FOR 

TOMAS GONZALEZ, City Manager

DATE: 

**Notification Form
Regarding Consumer Report**

Prior to being hired and during the course of your employment if hired, we may obtain a consumer report and/or an investigative consumer report about you for employment purposes.

The investigative consumer report, also known as a reference check, may include information as to your character, general reputation, personal characteristics and mode of living. This information may be obtained by contacting your previous employers and/or references supplied by you or others. Please be advised that you have the right to request, in writing, within a reasonable time, that we make a complete and accurate disclosure of the nature and scope of the information requested. Such disclosure will be made to you within five days of the date on which we receive the request from you or within five days of the time the report was first requested, whichever is later.

The Fair Credit Reporting Act gives you specific rights. If we rely on the report for an adverse action, before taking the adverse action, "we will give you a pre-adverse disclosure that includes a copy of the report and a copy of the document entitled "A Summary of Your Rights Under the Fair Credit Reporting Act".

By your signature below, you hereby authorize us to obtain a consumer report and/or an investigative consumer report about you for employment purposes and authorize all corporations, former employers, credit agencies, educational institutions, law enforcement agencies, city, state, county and federal courts and agencies, military services and persons to release all information they may have about you. This authorization shall be valid in original or copy form.

Applicant' Name _____

Social Security Number _____

Date of Birth (MM/DD/YY) _____

Driver's License Number _____

Current Street Address _____

City, State, Zip Code _____

County _____

Telephone Number _____

Signature _____

Date _____

Witness Signature _____