Duquesne University
Pre-employment Screening Procedure
Office of Human Resources

Purpose:

The purpose of this procedure is to identify the rationale for, and elements of, the process the University uses to verify the background and qualifications of a candidate for employment at Duquesne University.

The reasons for this procedure are many but most importantly include the need to ensure that individuals who join the University (i) fully support the mission of the University (ii) are qualified for their positions, (iii) have the potential to be productive, and (iv) have accurately presented their qualifications on their employment application. In addition, the potential liability for “negligent hiring” claims in today’s society is significant and must be addressed in a consistent University-wide fashion. Finally, the University cannot ignore the potential loss of public support and/or damage to its image that might result from problems in this area. For all these reasons, our insurance carriers insist that we review our hiring processes so as to minimize the risks associated with the results of ineffective hiring.

Duquesne University is Catholic in mission and ecumenical in spirit. Motivated by its Catholic identity, Duquesne values equality of opportunity both as an educational institution and as an employer. Duquesne believes that hiring qualified individuals to positions contributes to the University’s overall strategic success. Background checks serve as an important part of the search and selection process.

Procedure:

This procedure applies to all new hires of full-time and part-time administrators, staff members and faculty members employed by the University after the effective date. Students who hold full-time positions at the University must undergo the same procedure. The procedure does not apply to part-time student employees or part-time temporary special assignment employees (less than 3 months in duration) if those employees will not work with minors under the age of 18. This procedure also applies to all full-time temporary positions.

Pre-employment screening includes core elements and additional elements depending on the nature of the duties involved.

The core elements that apply to all new hires are:

• Background checks for criminal convictions (felony and misdemeanors)*;
• Education verification (to verify degree(s) earned from accredited institutions); and
• Reference checks [these should continue to be done prior to an offer of employment by the relevant hiring department in consultation with Human Resources].

As appropriate to the specific job, additional elements may include:

• Physical examination;
• Act 33, 34 and 114;
• Motor vehicle record verification;
• Drug tests (as currently applied) and
• Credit record check.

* A conviction, if disclosed on the Employment Application, will not necessarily bar a candidate from employment.
In order to assure a consistent and effective application of this procedure, the process of conducting background checks will be managed by the Office of Human Resources. Any exceptions to this procedure must be approved by the relevant Divisional Vice President with the advice of the Assistant Vice President of Human Resources.

The Contingent Offer of Employment:

The Office of Human Resources and the hiring department work together to identify a candidate for hire. Once that candidate has been identified, an offer of employment is extended by the hiring department to the candidate, specifically indicating that the offer is contingent upon the successful completion of appropriate pre-employment screening. Once a verbal commitment of employment is secured, the hiring department distributes to the candidate the appropriate background information release form(s) and works with the Office of Human Resources to schedule/coordinate the appropriate testing.

All background checks other than reference checks are conducted after a contingent offer of employment has been extended. The appropriate release form(s) must be signed by the candidate and delivered to the Office of Human Resources before the start of any check/test. Accordingly, in order to initiate the pre-employment screening process, the Office of Human Resource Management must have the following documents:

- Candidate’s completed and signed Employment Application;
- Candidate’s signed Release for Background Investigation Form(s)

A conviction, if disclosed on the Employment Application, will not necessarily bar a candidate from employment.

Process to Verify Information:

Commencement of employment is contingent upon the results of the screening process. All pre-employment screening must be completed and the results verified before the candidate begins to work. Based on the check/test results, the Office of Human Resource Management notifies the hiring department of the candidate’s ability or inability to commence employment. At no time should a candidate begin to work until the Office of Human Resource Management has verified results of the candidate’s pre-employment screening.

Under limited circumstances and with the advance written approval of the Provost and Vice President for Academic Affairs, part-time adjunct faculty may begin to work on a conditional, probationary status before the background check results are verified. If, however, the results are not satisfactory, employment may be terminated.

Advance written approval of the Provost and Vice President for Academic Affairs will not be required under the following limited circumstances:

1. An individual has been offered and has accepted an appointment to teach as an adjunct faculty member in the immediately upcoming academic term;
2. The individual has completed and returned both a signed Employment Application and a signed Release for Background Investigation form; and
3. The course to be taught by the individual is scheduled to begin before the results of the background check will be known.

If all of the foregoing requirements have been met, the Hiring Department may permit the individual to commence employment on a conditional, probationary status before the background check results are verified so long as the Hiring Department provides written notice
to the Provost and Vice President for Academic Affairs of this circumstance no later than either (i) the first scheduled day of class for the course involved, or (ii) the first day on which the individual will teach a class in the course, whichever comes first.

The Office of Human Resources will review the results of the background investigation in relation to the position under consideration. All known factors regarding the candidate will be considered. Any misrepresentation of facts noted on the University Employment Application may be cause for dismissal or refusal to employ. If the decision requires additional review, the Assistant Vice President of Human Resources will consult with the Dean/Director/Senior Department Head, area Vice President and Vice President of Legal Affairs and General Counsel (as appropriate).

Re-employment:

Faculty, administrators and non-represented support staff separated from the University two years or longer are required to undergo a new pre-employment background check upon rehire. Time is measured by reviewing the end date of the prior service in comparison to the beginning date of the new service. In some cases and based on position, a new background check may be required with less than a two year separation. In such cases, Vice Presidential approval shall be required.

Miscellaneous:

Duquesne University will ensure that all background checks are held in confidence and in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act.

The University reserves the right to make sole determination concerning information or any employment decision arising out of the background check.