

Procedure Title:	Background Checks on Non-Institution DHS Employees			
Procedure Number:	DHS-060-010-01	Version:	2.0	Effective Date: Upon Approval

Approved: DHS Chief Administrative Officer- Signature on File **Date:** 1/26/10

Procedure

This procedure applies to any DHS new hire, promotion, demotion, direct appointment, re-employment, job rotation/developmental assignment, transfer, temporary hire, or agency temporary hire. It does **not** apply to transfers or rotations within the same unit and the same class, or temporary-to-permanent within the same class.

Step	Responsible Party	Action
1.		Distribution of Procedure
	Recruitment	Sends a copy of this procedure along with the qualified applicant list to the hiring manager.
2.		At the Time of the Final Interview
	Interview Coordinator	<p>Initiates the background check process:</p> <ul style="list-style-type: none"> • Completes section 1 on each final candidate's form • Verifies the identification of each candidate • Signs the form where indicated, end of Section 1 • Obtains the candidate's signature on page 2 • Instructs the candidate to complete Section 2, seal the 301HR request in the envelope provided and print their name on the front. • Collects the sealed envelope before the final candidate leaves the site. <p>Note: The candidate should be given sufficient time to review the instructions and complete the application before or after the interview.</p> <p>Secures the final candidate(s) sealed envelopes until the</p>

		hiring process has been completed.
3.		Offer of Employment to the Selected Candidate
	Hiring Manager	<p>Makes the offer of employment to the selected candidate without setting a hire date.</p> <p>Once the selected candidate accepts the offer, the hiring manager advises the selected candidate that the start date is contingent upon the outcome of the preliminary review of the criminal and abuse history.</p> <p>Informs the selected candidate that the current job offer is contingent upon the outcome of the complete background check.</p>
4.		Submitting the Selected Candidate's 301HR Request
	<p>Interview Coordinator or other designee</p> <p>Note: The hiring manager is not allowed to review any of the 301HR forms.</p>	<p>Opens the selected candidate's sealed envelope and faxes the completed 301HR request form to the Background Check Unit (fax) 503 378-6314 or sends through Group Wise as an attachment.</p> <p>Secures the selected candidate's original 301HR request with the other final interview candidates' sealed envelopes.</p> <p>Note: Only the selected candidate's 301HR is sent in. All other final candidates' completed 301HR requests should remain sealed and only sent in if the selected candidate's criminal history is not approved and the offer of employment is made to the next finalist.</p>
5.		Preliminary Review of the Submitted 301HR
	Background Check Unit	<p>Reviews the selected candidate's 301HR request form for completeness.</p> <p>Note: Incomplete applications will be returned to the sender to provide required information.</p> <p>Runs records to determine suitability for beginning work while the background check is being completed.</p> <p>BCU will not grant preliminary approval on any self-disclosed history or potentially disqualifying history found through the records check.</p> <p>Notifies the hiring manager, via email by the end of the next business day, whether a hire date may be set.</p>

		<p>Note: If the employee begins work while waiting for the results of the criminal history check, active supervision is required under OAR 410-007-0070(1)(d) and the employee is not authorized to drive on state business.</p>
6.		<p>Fitness Determination</p>
	Background Check Unit	<p>Conducts an Oregon criminal history, driving records and abuse check on the selected candidate's 301HR request.</p> <p>Informs the hiring manager and HR Analyst via email that:</p> <ul style="list-style-type: none"> • The selected candidate is "approved", or; • Based on the results, the history, is forwarded on to the Office of Human Resources to conduct the final fitness determination, or; that • A national check is required and to obtain fingerprints from the selected candidate. Fingerprints must be submitted within 21 days. If fingerprints are not received within 21 days, the case will be closed and the employee will not be eligible for employment and must be removed from the job, if already working. <p>Processes the fingerprint card (DAS 0258) when received.</p> <p>Reviews national criminal history results.</p> <p>Informs the hiring manager via email that:</p> <ul style="list-style-type: none"> • The selected candidate's request is "approved", or; • Based on the results, the history has been forwarded on to the Office of Human Resources to conduct the final fitness determination.
	Senior HR Manager/HR Analyst	<p>Reviews the selected candidate's 301HR. Gathers any additional information needed to conduct the final fitness determination.</p> <p>Conducts the final fitness determination, including weighing test, in consultation with HR Management, to determine if the request is "approved", "closed" or "denied".</p> <p>Communicates the outcome to the hiring manager and the selected candidate.</p> <p>Once a decision has been made, the application and all information used in making the final determination must be sent to the BCU for tracking purposes.</p>

7.		If the Selected Candidate's Request is Denied
	Senior HR Manager/HR Analyst	Notifies the candidate by letter and provides information regarding the right to appeal, a copy of their 301HR and Hearing Request 299HR. Department employees and individuals offered employment have 15 calendar days to request a hearing.
	Hiring Manager	Initiates the CHC process (step 3) to begin for the next selected candidate.
8.		Processing Hearing Requests
	Background Check Unit	Receives the Hearing Request within 15 days of denial date. Sends a letter to the subject individual to request more information within 14 days. <ul style="list-style-type: none"> • If a response is not received, the case is closed for lack of participation. • If a response is received, evaluates the criminal and abuse history, all information provided by the subject individual and gathers additional information necessary to prepare the case. Send notification to the Office of Administrative Hearings. Prepares the case and represents DHS in the Hearings.
	Senior HR Manager/HR Analyst	Provides assistance and participates in the hearings process as needed.
9.		Destruction of 301HR Request Forms
	Interview Coordinator	Once the final candidate's background request has been completed, the Management Service Representative destroys all 301HR forms for the other candidates, all fingerprint cards and any other related information within 30 days of the approval date of the final selected candidate.

Policy that applies

[DHS-060-010, Background Checks](#)

Forms that apply

- [DHS 0299HR](#) Hearing Request
- [DHS 0300HRC](#) (contractor), Notice of Final Fitness Determination

- [DHS 0301HR](#) Background Request
- [DHS 0301HR-C](#), Background Request (Contractor Only)
- Fingerprint Card (MSC 0258)

Contacts

Name: William Buckley; **Phone:** 503-378-8973; **Email:** WBUCKLEY@state.or.us

Procedure History

- **Version 2.0:**
 - 1/1/10 – Update includes implementation of abuse and neglect check. Changes to all non-institution employees.
- **Version 1.0:**
 - 12/1/08 – Initial release