



Approved:

**City of Commerce, California
Human Resources Policy and Procedure Manual**

Teresa McAllister

Director of Human Resources

[Signature]

City Administrator

Number: I-15 Effective Date: 8/18/09

SUBJECT: REFERENCE/BACKGROUND CHECKS

PURPOSE:

To establish guidelines for pre-employment reference checks of potential new hires from outside the City and for the release of personal or reference information to other employers regarding current or former employees while minimizing the City's risk of liability.

POLICY:

1. Obtaining References - The City of Commerce is responsible for confirming information provided by applicants in their employment application. Information concerning an applicant's education and employment history may be verified by either Human Resources or by the hiring department before a formal employment offer is extended. This responsibility includes verification of an applicant's credentials and previous work experience.

It is the responsibility of the hiring department to verify all references. The Human Resources Department is available for guidance and assistance. Reference information obtained in confidence by the City of Commerce from other employers is considered confidential and may be legally withheld from the applicant. Any information obtained from public records, however, as the result of a reference or background check must be released to the applicant within seven days unless the applicant waives their right to the information in accordance with Civil Code section 1786.53.

The purpose of reference checking is to gather additional facts and information about the leading candidate(s). Reference checks help verify information gathered in the interview (experience, skills and capabilities), and is a valuable tool in gauging the candidate's interpersonal communication skills (i.e. teamwork, ability to get along with others, communication style, etc.). A thorough reference check may also provide you with new facts and information (strengths, weaknesses and constructive criticism) to consider in making your final hiring decision.

It is important to verify all degrees, certifications, licenses and educational history listed in an employment application. Education can be verified by calling the campus Registrar or Student Records Office, although some campuses now refer you to a central registry service to obtain information. The student's name, social security number and dates of attendance or graduation are usually required

in order to verify attendance and degrees earned. In most cases, this can be done over the telephone or online.

Past employers may be reluctant to share negative information about past employees but employers should verify, at a minimum, dates worked and positions held. Some employers will also state whether an employee is eligible for rehire.

Any written information obtained in the reference check will be retained and destroyed in accordance with Government Code Sections 34090, et. seq. and the Records Retention Schedule of the Human Resources Department.

Authorization to use an outside investigator or agency to conduct any reference or background check must be obtained in advance from the Human Resources Director.

Applicants who submit an application for employment with the City of Commerce agree to the following:

- a. To answer all questions completely and accurately;
- b. To allow the City to contact all employers and educational institutions listed, including current employer, and if applicable the appropriate supervisor within the City of Commerce (for former employees);
- a. That all statements made within application are true and complete; and
- b. That making false statements may lead to disqualification or dismissal.

California Law prohibits employers from posing questions to applicants that express discrimination based upon an applicant's race, religion, color, national origin, ancestry, physical or mental disability, marital status, sex or sexual orientation. Federal law also prohibits discrimination in the hiring process.

Some examples of questions you cannot ask regarding an applicant are:

- a. When an applicant graduated from elementary or high school, or other questions concerning an applicant's age other than minimum age requirements;
- b. Where an applicant was born;
- c. Whether an applicant is a U.S. citizen;
- d. Questions regarding an applicant's race or ethnicity;
- e. Questions regarding an applicant's financial assets or debts, or whether an applicant owns or rents their residence;
- f. Questions concerning an applicant's height or weight;
- g. Questions concerning an applicant's family responsibilities such as the existence of dependents, childcare or child support, or about childbearing or fertility;
- h. Questions concerning an applicant's sexual orientation; and
- i. Questions concerning an applicant's religion or religious practices.

The Human Resources Department can assist you with questions to ask during a reference check.

2. **Providing References** - Express written authorization must be provided by current or former City employees before requests for earnings-related data or detailed employment history will be released. The City of Commerce will only release basic factual information to other employers regarding current or former City employees with the absent written authorization from the employee.

In accordance with California Civil Code, the City of Commerce reference policy permits providing references to other employers including written verification of employment, dates of employment, job classification and salary range of an employee's classification. The Director of Human Resources may authorize individual supervisors or managers to respond to requests for detailed employment information when a signed release is on file with the Human Resources Department.

Whenever there is any doubt concerning the legitimacy of a request for information, the inquiry will not be honored by the City.

PROCEDURE:

Responsibility	Action
Prospective Employee	1. Provides written consent to Human Resources to provide information pertaining to employment and/or payroll and/or Commercial Driver's License (if applicable) information.
Hiring Department (Human Resources, if requested)	2. Conducts reference check and/or verifies information provided on application after final interviews and leading candidates are identified. 3. Submits completed Reference Checklist to Department Head. 4. Submits personnel action form to Human Resources Department along with completed Reference Checklist.
Outside Agency	5. Responds to requests from City staff regarding reference and/or payroll information on employee.
Human Resources	6. Coordinates with outside Background Investigation Company on background checks for Department Heads and Assistants 7. Provides DOT required forms to all new applicants. 8. Provides applicant information to outside agency.

CITY OF COMMERCE

TELEPHONE REFERENCE CHECK

The purpose of reference checking is to gather additional facts and information about your leading candidate(s). The reference check helps verify information on the application form (education, experience, training) and information gathered in the interview (experience, skills, and capabilities), and is a valuable tool in gauging the candidate's interpersonal communication skills (teamwork, ability to get along with others, communication style, etc.). A thorough reference check may also provide you with new facts and information (strengths, weaknesses, and constructive criticism) to consider in making your final hiring decision.

Initiate your reference call with a brief introduction and the purpose of your contact, indicating that your candidate has listed them as a reference and you are following up to gather facts and information. Be sensitive to their time and make sure they are able to give you approximately 10 to 15 minutes to conduct a thorough reference check. A "rushed" reference check will be ineffective in eliciting quality information.

To assist you in the reference check process we have developed a list of suggested questions. These will be helpful to you in collecting necessary information to make an "informed" hiring decision. You may ask additional specific or substitute questions related to the particulars of the position you are filling. These questions serve as a guideline for you and have been very effective in gathering pertinent information about candidates.

Name of Candidate: _____

Reference Contact: _____ Telephone: () _____

Organization: _____

1. Employed from _____ to _____

2. Salary: Beginning - _____ Ending - _____

3. Were you involved in the selection process when _____ was hired in your organization? If so, what influenced you to hire him/her? _____

4. How would you rate their customer service skills? _____

5. How did he/she get along with:

• Co-workers? _____

• Supervisors/Managers? _____

- 6. If I were to call his/her co-workers, what do you think they would tell me about his/her teamwork and interpersonal skills? _____

- 7. Was he/she dependable? _____
- 8. What was his/her attendance record like?
 - Was he/she absent often? _____
 - Was he/she tardy often? _____
- 9. How well did he/she follow instructions? _____
- 10. How would you rate him/her on their ability to do their job?
_____ Unacceptable _____ Needs Improvement _____ Acceptable
_____ Good _____ Superior _____ Outstanding
- 11. If you could offer him/her one bit of constructive criticism, what would it be? _____

- 12. Why did he/she leave your organization? _____
- 13. What one thing about his/her employment with you do you recall the most? (name major accomplishment, event, work product, etc.) _____

- 14. What was his/her reputation within your organization? _____
- 15. What else can you share with me about _____ that might help us in evaluating his/her candidacy for this position? _____

