

**ARIZONA STATE PERSONNEL SYSTEM
STATEWIDE POLICIES AND PROCEDURES**

Policy Number: ASPS/HRD-PA3.03	Issued: October 4, 2012
Subject: Pre-employment Reference and Background Checks	Effective: October 4, 2012
Policy Section: Recruitment, Selection, and Appointment	Revised: February 13, 2015
Policy Owner: ADOA Human Resources Division	

This policy does not create a contract for employment between any employee and the State. Nothing in this policy changes the fact that all uncovered employees of the State are at-will employees and serve at the pleasure of the appointing authority.

Scope:

This policy applies to all agencies, boards, offices, authorities, commissions, or other governmental budget units of the State that are part of the State Personnel System.

Authority:

A.R.S. § 41-746, Refusal of consideration for employment; verification of education and work history

A.R.S. § 41-747, Employment procedures; violation

A.A.C. R2-5A-303, Reference and Background Checks

Definitions:

“Agency” means a department, board, office, authority, commission, or other governmental budget unit of the State Personnel System.

“Agency head” is defined as the chief executive officer of a state agency, or designee.

“Candidate” means a person whose education, experience, competencies and other qualifications meet the requirements of a position and who may be considered for employment.

“Director” means the Director of the Arizona Department of Administration, or the Director’s designee, who is responsible for administering the State Personnel System pursuant to applicable state and federal laws.

“Reference and background check” means an attempt to verify the education, employment history, license, registration or other relevant qualifications of a candidate in order to obtain information and recommendations that may be relevant to the candidate’s fitness for employment.

Policy:

A.R.S. § 41-746 requires that state agencies “make documented, good faith efforts to contact current and previous employers of a candidate to obtain information and recommendations that may be relevant to the candidate’s fitness for employment” in accordance with the procedures established by the Director.

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It is the policy in the State Personnel System that reference and background checks shall be conducted *prior to any offer of employment* to any individual. This includes promotions and lateral transfers for current State employees. State agencies are responsible for verifying current and previous employment, education, certifications, registrations or licenses and/or any other necessary qualification(s) for candidates for employment. The SPS Pre-employment Reference and Background Verification Form is the standard form that shall be used when conducting these checks.

When a hiring process involves a current or former State employee, the hiring agency shall also review the State employee's personnel file. State agencies shall provide access to an employee's official personnel file to an official of a State agency to which the employee has applied and respond to reference checks by the hiring agency.

Procedure:

All agency heads shall ensure that their respective agencies make documented, good faith efforts to conduct reference and background checks of candidates for employment. These checks shall include verification of the following items at a minimum, as applicable:

- Post-secondary education/degrees
- Current and/or previous employment
- Certifications, licenses and/or registrations (including a check for professional disciplinary actions or censures)
- Criminal background check (if hiring agency has statutory or executive order authority and a criminal records check is required for the position)

Prior to conducting reference and background checks, hiring agencies shall ensure candidates have completed the standard State Personnel System Application for Employment (see Related Forms section at the end of this policy). It is recommended that candidates submit an application for employment at the time of the interview.

Candidates are required to complete the application form accurately and completely in regard to work history, education, experience, conviction history, training, licenses, certifications and registrations. Omissions, misstatements or falsification of information on an application may result in disqualification from consideration for future positions in the State Personnel System or if the individual is a current State employee, discipline or separation from State employment.

The application form also contains a release of liability for employers, educational institutions, licensing entities, etc. that provide employment related information.

Verification of Current and/or Previous Employment

Hiring agencies shall verify a candidate's most recent five (5) year work history by contacting current and prior employers per the following guidelines:

1. If the candidate has worked their current or most recent employer for five (5) or more years, a five (5) year work history reference/verification from the current or most recent employer is sufficient.
2. If the candidate has worked for their current or most recent employer for less than five (5) years, contact the current or most recent supervisor, as well as any other previous supervisors for the past five (5) years.
3. Before proceeding with the reference check, confirm that the candidate has checked "Yes" on the application form for the question "If presently employed, may we contact

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your current employer?”. If the candidate marked “No”, typically confirmation should be obtained from the candidate either in writing or verbally, allowing the respective hiring agency to contact the current or most recent employer. This documentation should be indicated on the Application for Employment or the SPS Pre-employment Reference and Background Verification Form.

4. If the candidate has no work history, three (3) professional references from non-relatives shall be obtained. Examples of acceptable references include former teachers, professors, volunteer organizations, internship managers, etc.
5. If a candidate for employment is a current or former State employee, the official personnel file shall be reviewed prior to an offer of employment being made unless that personnel file was destroyed in accordance with the Arizona State Library, Archives and Public Records retention schedule. The file can be obtained and/or accessed by contacting the candidate’s current/former State agency Human Resources office. Agencies are not required to re-verify references obtained during a previous reference check for a current agency employee. A copy of the prior reference check must be filed with the hiring paperwork. For internal employees being considered for a position with the same supervisor, reference checks are not required. A notation on the reference check form should be made indicating the current supervisor is making the job offer.

Verification of Education, Occupational or Professional Licensure, Certification or Registration

If it is a requirement for the position or if any portion of the hiring decision was based on the candidate’s possession of specific post-secondary education, degree, license, certification or registration, the hiring agency shall obtain verification of the education, degree, license, certification or registration from the candidate. The candidate may be responsible for any costs incurred in providing such verification.

Hiring agencies should attempt to independently verify documents provided by the candidate whenever possible and appropriate, for example by checking an online licensing database. At the discretion of the agency head, an unofficial transcript may be considered adequate verification of post-secondary degrees.

In the case of a professional license, certification or registration, the respective hiring agency must verify that the individual has a valid credential, and check the candidate’s record for disciplinary or other adverse actions or censures.

Criminal Background Check

Agencies must have statutory or executive order authority to conduct criminal background checks. Unauthorized access to criminal history information as stated in A.R.S. § 41-1756, is a class 6 felony. Agency heads are responsible for ensuring that proper statutory or executive order authority is in place to conduct criminal background checks.

Post-offer Medical/Physical Examinations

The Arizona Department of Administration (ADOA) Risk Management Division’s website provides information about which positions require post-offer medical/physical examinations and how to schedule such an exam.

http://risk.az.gov/agency_information/occupation_health.asp

Other qualifications for employment

To verify any other qualification for employment not listed above, contact the appropriate agency Human Resources office or the Arizona Department of Administration Human Resources Division for guidance.

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Related Forms

Arizona State Personnel System Application for Employment

Corresponding Policies

Not applicable

Contact

If you have any questions related to HR Policy, please contact your agency's Human Resources Office/representative.

Policy History (supersedes)

ASPS/HRD-PA3.03, Pre-employment Reference and Background Checks (October 4, 2012)