



Title of Policy: Pre-Employment Requirements
Policy No.# 1.2001
Type of Policy: Administrative
Effective Date: April 26, 2024
Last Revised: 11/21/2011
Policy Owner: Florida Memorial University
Policy Contact: Office of Human Resources

I. Reason for Policy

To establish a policy related to conducting appropriate pre-employment requirements for prospective employees (finalists) and employees to ensure the meeting of requirements for employment. Every hiring decision is an important one and Florida Memorial University is committed to promoting a safe and secure environment for all students, faculty, staff, and visitors.

II. Policy Statement

Pre-Employment requirements are implemented to verify qualifications and experience, provide a safe environment, and to ensure due diligence in the hiring process. Pre-employment checks will only be initiated through the Office of Human Resources (“HR”) and conducted in compliance with applicable laws and regulations.

Information discovered through the process will be used solely for the purpose of evaluating a finalist’s suitability for employment and will not be used to discriminate against a finalist on the basis of race, color, religion, creed, sex, gender, age, sexual orientation, gender identity or expression, national origin, genetic information, marital/familial status, disability, military, veteran status, or any other protected status.

The need to conduct these checks as well as the types of checks, will be balanced with the nature of the position and the privacy of the candidate being considered.

III. Scope

This policy applies to:

- All new hires for full-time and part-time staff and faculty positions,
- Rehire of a former staff employee, after a one-year break in service,
- Rehire of an adjunct, after a consecutive three-semester break in service,
- Current employee:
 - Promoted or transferred into a position, a year after their last check and position has pre-employment requirements,
 - Receiving newly assigned duties that require pre-employment checks
- Any student whose duties would require a background check by applicable law
- Graduate Assistants who work closely and have access to student residences, student records, and other confidential student information/data (such as Housing & Athletics).

FMU utilizes two main categories for the processing of pre-employment checks:

Standard

The standard check applies to all part-time and full-time staff and faculty being hired at the university. A Standard check includes:

- Criminal Background Check
- Education Verification
- Employment Verification
- Professional References

Specialized

The Specialized check applies to all part-time and full-time staff and faculty being hired at the university, whose position requires specific additional pre-employment checks by university policy, state, or federal law. Positions that work with minors, have specific financial or investment responsibilities, or require operation of a motor vehicle to perform the essential functions of their position, would be included in this category.

A Level II check includes:

- Criminal Background Check
- Education Verification
- Employment Verification
- Professional References
- Motor Vehicle Check (MVR)
- Fingerprint Check

Current employees, within this policy's scope, must self-disclose to HR violations within two business days of the event. Violations may include, but not be limited to, criminal arrests and/or convictions, suspension or loss of driving privileges. Employees must provide detailed information in writing about the event's facts and circumstances for review and further consideration, to HR. Assessment of the disclosed information will include:

- Accuracy and completeness of the information provided by the employee,
- Facts and circumstances of the event and its relationship to the role and responsibilities of the position,
- The nature and severity of the event/offense,
- The rehabilitation conditions, requirements, or limitations placed on employee(s) by a court of law or other authority.

After thorough review HR will make a final determination regarding eligibility for continued employment.

Failure to self-disclose and provide truthful and accurate information may result in corrective action up to and including termination.

IV. Definitions

Term	Definition
Adverse Action	Written notice, required by law, denying employment, due to background check results. The finalist is provided with written notice of employment decision, a copy of their rights under the Fair Credit Reporting Act (FCRA), and name and contact information for vendor/provider of consumer report, to request their own copy.
Criminal History Background	A search of local and national records to identify any reportable criminal records. Reportable records usually include incarceration, convictions, and/or misdemeanor/felony offenses.

Education Verification	A search and confirmation of education, degree, training, or certification of finalist. Verifies institution attended, dates of attendance, degree earned, certification status, and date earned
Employment Verification	A search and verification of previous employment of finalist. Verified dates of employment, position title, reason for leaving, and sometimes salary and eligibility for rehire.
Fair Credit Reporting Act (FCRA)	Federal law regulates the collection of all consumer information including medical, credit, and other screenings and promotes fairness and privacy of the consumer information provided by the reporting agencies.
Federal Work Study Student	An individual actively enrolled as a full-time or part-time student at the university and has been awarded Federal Work Study, as part of their Financial Aid package. The student can work in a university department, for up to 20 hours per week, for the duration of their work study award.
Finalist	One (1) qualified candidate who has reached the final stage of the recruitment process and is being recommended for hire.
Graduate Assistants	A graduate student who is actively enrolled full-time at the university. Who performs specialized duties within an area of the university.
Motor Vehicle Check (MVR)	A search and documentation of information related to the finalist's driving history, from the state department or bureau of motor vehicles. Typically confirms driver's license status, driving while under the influence (DUI) offenses, moving and non-moving violations, and driving restrictions.
New Hire	An individual who has never had an employer-employee relationship with the university.
Professional References	A documented conversation regarding a finalist's qualifications, experience, accomplishments, skill sets, strengths, and work ethic. Typically attain an average of three (3) professional references for each finalist.
Rehire	An individual who had a previous employer-employee relationship and separated from the university.
Resident Assistants	An undergraduate student who is actively enrolled full-time at the university and is working as a trained peer leader within housing and residential life.
Student Assistant	An individual actively enrolled as a full-time or part-time student at the university. The student can work in a university department for up to 20 hours per week.

V. Responsibility

The Office of Human Resources is responsible for implementation and oversight of this policy.

VI. Enforcement

Any University community member who violates this policy will be subject to appropriate corrective action, up to and including termination. The University Policies and Procedures Library is updated regularly. To ensure a printed copy of this document is current, please access it online at <http://policies.fmuniv.edu>.

Approved:

Signature	Title	Date
<i>Jaffus Hardrick</i> <small>Jaffus Hardrick (Apr 30, 2024 16:32 EDT)</small>	President	Apr 30, 2024