

Exhibit B: Page 1



POLICY NO.
Committee

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Approved.

By:
Chairman of the BoardChief Executive Officer

Subject: **BACKGROUND AND REFERENCE CHECKS POLICY**

BACKGROUND AND REFERENCE CHECKS POLICY

PURPOSE

To establish procedures for conducting pre-employment background and reference checks on all potential new hires and employees considered for promotion to administrative, professional, supervisory, or management positions.

Background and reference checks are used to verify information provided by the applicant and to obtain additional information (i.e., a criminal record, work experience/history, education, licensure, credit history, and/or driving record) to determine suitability for the position for which they are being considered.

POLICY STATEMENT

It is the policy of the San Bernardino County Employees' Retirement Association (SBCERA) to conduct pre-employment and pre-appointment reference and background checks on all potential new hires and specified promotional candidates prior to hire or promotion.

RESPONSIBILITIES AND PROCEDURES

1. SBCERA will select vendors to conduct background and pre-employment reference checks as deemed necessary.
2. SBCERA's hiring process should result in the selection of individuals who will promote and further the organizational mission. To that end, unless as otherwise prohibited by law, appropriate background checks are required for all new hires and, if applicable, promotional applicants to assure the selection of individuals who are well qualified and suitable for SBCERA employment. Please refer to the attached guidelines.
3. SBCERA Human Resources is responsible for advising the Chief Executive Officer and the Chief of the hiring department on the conduct of background and reference checks, as well as the overall administration of this policy.

Exhibit B: Page 2

POLICY: Background and Reference Checks Policy

Page 2

4. At the time of the job offer, the hiring department must inform the candidate that the offer is contingent upon successful completion of pre-employment background and reference checks. Once the conditional offer has been made, but prior to any pre-employment medical examination, Human Resources will provide the candidate an authorization to release information and personal history form provided by selected background company.
5. Candidate(s) for positions shall be subject to the following checks, unless otherwise prohibited by law.
 - a. Criminal Courts check - in addition to fingerprinting through Department of Justice
 - b. Driver History
 - c. Social Security Number Verification
 - d. Address Verification
 - e. Employment History Verification
 - f. Reference Checks
 - g. Education Verification (if required for the position)
 - h. License or Certification (if required for the position)

To the extent permitted by California Labor Code Section 1024.5 or other applicable law, all positions shall also be subject to the following additional checks of their credit history

- a. Bankruptcies and Notices of Default
 - b. Civil Court Judgments
 - c. County, State, Federal Tax Liens
 - d. Credit Check
6. For positions at Department Chief level or higher, candidate(s) may be subject to the checks identified above and, in addition, to face-to-face background and reference check interviews.
7. The results of background and reference checks and fingerprint reports shall be reported by Human Resources to the Chief Executive Officer and to the Chief of the hiring department.
8. In determining whether the results of a background and reference check support a hiring decision, special caution shall be exercised with regard to any candidate with a record of poor integrity or financial misconduct, or whose credit history indicates a present likelihood of financial vulnerability. Once a determination is made that a candidate is suitable for hire or promotion, and clearance of all other conditions has

Exhibit B: Page 3

POLICY: Background and Reference Checks Policy

Page 3

been obtained, the candidate may be scheduled for a physical examination if required.

9. All records, including consumer credit reports/consumer reports and/or an investigative consumer report provided by third party vendors, shall be provided to candidates pursuant to applicable Federal and State laws.
10. All background and reference check results shall be maintained by Human Resources in confidential files, separate from employee personnel files.
11. Reference checks of candidates for internal promotion, transfer, or demotion within SBCERA will only be conducted by Human Resources or authorized SBCERA representatives.

Attachment: Background Check Guidelines

Exhibit B: Page 4

POLICY: Background and Reference Checks Policy Page 4

BACKGROUND CHECK GUIDELINES

Pre-employment and Background Categories	Approx. Time	Suggested for*
Pre-employment Physical	2 days to 1 <u>1</u> week	All new hires
Fingerprint (Live Scan) DOJ - Statewide criminal history check	2 days to 2 weeks	All new hires and all promotions <u>excluding</u> employees promoted (1) within the same classification series, or (2) who are subject to subsequent arrest notification, or (3) outside their classification series unless dictated by job requirements, as determined by SBCERA
Category I check : verification of Social Security number; limited criminal check (one county only); driving history check	48 hours <u>2 days</u>	All new hires
Category II check : verification of Social Security number; limited criminal check (one county only); driving history check; credit check	48 hours <u>2 days</u>	All new hires or promotions as applicable under California Labor Code
Category III check : verification of Social Security number; limited criminal check (one county only) ; driving history check; credit check; verification of employment history and college education	72 hours <u>3 days</u>	All new hire or promoted managers; All new hires and promotions to positions requiring certificates, degrees, or licensure
Executive/Administrative - covers all areas of Category II], plus review of court records and personal contact with current and former employers and professional references.	2 to 4 weeks	All new hires and promotions to Department Chief level or higher

*Depending upon type of work performed, a higher category of check may be appropriate