



## BACKGROUND SCREENING POLICY

### PURPOSE

It is Switchpoint's goal to provide a safe environment for all, including our clients, residents, volunteers, staff, children in our care, etc. To help us accomplish this goal, and to be compliant with state and federal licensing/funding requirements, background screenings are required on all as a condition of employment with Switchpoint, and for volunteers with access to confidential information, money, children or vulnerable adults.

### POLICY & PROCEDURES

After a conditional offer of employment is made, background checks will be conducted on all employees. All offers of employment are contingent upon clear results of a thorough background check specific to the position for which the employee is hired.

In roles requiring a criminal background screening, employees will need to complete fingerprinting ASAP per onboarding task instructions. If an employee begins work prior to background clearance, the employee must always be supervised by another staff member until their background check has been successfully reviewed and cleared.

Employees that do not pass the background screening will not be eligible for hire and employment will be terminated.

To be compliant with state and federal licensing/funding requirements, employees/volunteers working in a human services program/site/department that is licensed or receives federal/state funding, employees will obtain one or more of the following criminal background checks that require fingerprinting:

- DHHS/DACS Background Check
- Utah Bureau of Criminal Identification (BCI)
- Fingerprint-based National Criminal History Record Check from the FBI

For compliance with state and federal licensing/funding requirements, criminal background checks/rap-back/renewals will be conducted annually for each employee and kept on file.

A Switchpoint guest is not required to complete a background check. However, Switchpoint shall not provide a guest access to confidential information.

Background screenings may include:

- **Social Security Verification:** validates the applicant's Social Security number, date of birth and former addresses.

- Identifying documents will be provided to Switchpoint HR by potential employees during the onboarding process.
- The I-9 form will be completed by the employee and employer then processed by HR through the E-Verify system to determine eligibility for employment.
- **Prior Employment Verification:** confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on the past two employers or the previous five years, whichever comes first.
- **Personal and Professional References:** calls will be placed to individuals listed as references by the applicant.
  - HR or Hiring Manager will verify prior employment and check professional references.
- **Educational Verification:** confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.
  - Proof of Education will be provided by potential employees to HR when applicable to the position they are being hired for.
- **\*Criminal History:** A criminal background check is required for employees/volunteers working in human services at a site/program/department that is licensed through the state or receives state/federal funding. This background includes fingerprinting, a review of criminal convictions and probation.
  - Employees will complete the Background Consent/Disclosure/Authorization as assigned during onboarding.
  - Employees will schedule and complete fingerprinting ASAP per onboarding instructions at designated location – remembering to take their Fingerprint Order form and I.D. with them to their appointment.
  - Employees whose salary is paid by specific state/federal funding will be subject to the background requirements for that funding agency/source (i.e. DWS).
  - All other criminal background screenings will be reviewed by HR.
- **\*DHHS Licensed Facilities/Programs**
  - DHHS/DACS Background Check
    - Eligibility determination made by DHHS
  - Licensing Agencies will determine the eligibility of employees at licensed facilities.
    - If the licensing agency does not clear the employee, then they will not be eligible to work at the licensed facility.

- If supervision is required by the licensing agency, then an employee will not be left unsupervised with confidential information, children, or vulnerable adults.

- **\*State/Federal Funding (DWS, CoC, ESG, etc)**

- Utah Bureau of Criminal Identification (BCI)
- Fingerprint-based National Criminal History Record Check from the FBI
  - Notify DWS or funding agency if an employee/volunteer record shows criminal history.
  - Switchpoint may restrict or prohibit an individual from accessing confidential information, providing direct customer service, or having direct access to a minor or vulnerable adult until a valid criminal background check is completed or in the event the background check indicates:
    - Convictions or a plea in abeyance involving such offenses as theft, illegal drug use or trafficking, fraud, sexual offenses, lewdness domestic violence, assault, battery, identity theft, any felony, any class A misdemeanor, or any other conduct or actions that may, in the judgement of DWS, create a risk of harm to a DWS customer, minor, or vulnerable adult or suggests the individual is at risk for compromising confidential information.
  - **Unless authorized by DWS**, no individual with the following offenses on their record will be allowed access to confidential information, provide direct services, or have direct access to minors/vulnerable adults:
    - Any matters involving a sexual offense.
    - Any matters involving a felony or class A misdemeanor drug offense.
    - Any matters involving a “crime against the person” (*under Title 76, Utah Criminal Code, chapter 5, Offenses Against the Person*).
    - Any matters involving a financial crime, including but not limited to identity theft, fraud, larceny, theft and embezzlement.

\*Criminal background checks/rap-back/renewals will be conducted annually per state and federal licensing/funding requirements.

- **Background Screenings Not Regulated by State or Federal Licensing/Funding**
  - Backgrounds that do not meet the following criteria will be reviewed by the Background Screening Committee comprised of the Department Manager, HR Rep and Regional Director/CEO.
    - Arrests within 2 years for any reason

- Violent criminal convictions within 10 years
- Crimes against persons within 10 years
- Felony convictions within 5 years
- Less than 2 years of Sobriety for Human Services position with client interaction
- The Background Screening Committee may request additional information from the potential employee/volunteer including explanation of charges, proof of rehabilitation, character references, etc.
- A negative background check will not automatically or necessarily bar employment. Negative screening results will be reviewed on a case-by-case basis with consideration given to the Equal Employment Opportunity Commission (EEOC) suggested factors to consider when assessing criminal records. EEOC Criminal Records
- If an employee does not pass the background clearance, they will be notified ASAP by HR and employment will be terminated.
- Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

The following additional background searches will be required if applicable to the position:

- **Motor Vehicle Records:** Provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.
- **Credit History:** Confirms candidate's credit history. This search will be run for positions that involve management of Switchpoint funds and/or handling of cash or credit cards.

-- Switchpoint reserves the right to modify this policy at any time without notice. --