

<b>Procedure Title:</b>	<b>Background Checks on Non-Institution DHS Employees</b>				
<b>Procedure Number:</b>	DHS-060-010-01	<b>Version:</b>	3.0	<b>Effective Date:</b>	Upon Approval

**Approved:** Jim Neely - DHS Chief Administrative Officer      **Date:** June 7, 2010

Signature on File in the office of the Chief Administrative Officer

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## Procedure

This procedure applies to any DHS new hire, promotion, demotion, direct appointment, re-employment, job rotation/developmental assignment, transfer, temporary hire, or agency temporary hire. It does **not** apply to transfers or rotations within the same unit and the same class, or temporary-to-permanent within the same class. Once the Background Check form is completed by the Subject Individual, it is to be treated as Confidential Information. The following roles apply:

### Definition of Roles

- **Interview Coordinator:** The person identified as the point of contact for the interview candidates during the final interview process. The interview coordinator does not have to be in management service. This person **cannot** be the Hiring Manager or a participant on the interview panel.
- **Management Service Representative or AD/CP:** Person identified to open and fax the selected candidate's Background Request (DHS0301HR) to the Background Check Unit in Salem (e.g. Exec Support Spec). The individual **must** be in management service or an Authorized Designee or Contact Person for background check purposes and **cannot** be the Hiring Manager or a participant on the interview panel.

Step	Responsible Party	Action
1.		<b>Distribution of Procedure</b>
	Recruitment	Sends a copy of this procedure along with the qualified applicant list to the Hiring Manager.
2.		<b>At the Time of the Final Interview</b>
	Interview Coordinator	Initiates the criminal history check process: <ul style="list-style-type: none"> <li>• Completes section 1 on each final candidate's</li> </ul>

		<p>background check request (DHS0301HR).</p> <ul style="list-style-type: none"> <li>• Verifies the identification of each candidate.</li> <li>• Signs the form at the end of Section 1.</li> <li>• Obtains the candidate's signature on page 2, line 25.</li> <li>• Instructs the candidate to complete Section 2, seal the form in the envelope provided and print their name on the front.</li> <li>• Collects the sealed envelope before the final candidate leaves the site.</li> </ul> <p>NOTE: The candidate should be given sufficient time to review the instructions and complete the application before or after the interview. Secures the final candidate(s) sealed envelopes until the hiring process has been completed.</p>
	Management Service Representative (e.g. Exec Support Spec) or AD/CP	Secures the final candidate(s) sealed envelopes until the hiring process has been completed.
<b>3.</b>		<b>Offer of Employment to the Selected Candidate</b>
	Hiring Manager	<p>Makes the <b>offer</b> of employment to the <b>selected</b> candidate <b>without setting a hire date</b>.</p> <p>Once the selected candidate accepts the offer, the Hiring Manager advises the candidate that the start date is contingent upon the outcome of the <b>preliminary</b> review of the criminal and abuse history.</p> <p>Informs the selected candidate that the current job offer is contingent upon the outcome of the <b>complete</b> criminal background check.</p>
<b>4.</b>		<b>Submitting the Selected Candidate's 301HR Request</b>
	<p>Management Service Representative (e.g. Exec Support Spec) or AD/CP</p> <p><b>Note:</b> The Hiring Manager is <b>not</b> allowed to review any of the candidate's background check information.</p>	<p>Opens the selected candidate's sealed envelope <b>only</b> and faxes the completed 301HR to the Background Check Unit:</p> <ul style="list-style-type: none"> <li>• 503 378-6314</li> </ul> <p>Secures the selected candidate's original 301HR with the other final interview candidates' sealed envelopes.</p> <p><b>Note:</b> Only the selected candidate's 301HR is sent in. All other final candidates' completed forms should remain sealed and only sent in if the selected candidate's background check is not approved and you offer employment to the next finalist.</p>

5.		<b>Preliminary Review of the Submitted 301HR</b>
	Background Check Unit	<p>Reviews the selected candidate's 301HR for completeness.</p> <p>Performs the preliminary review of self-disclosed criminal and abuse history to determine suitability for beginning work while the background check is being completed.</p> <p>Notifies the Hiring Manager, via email by the end of the next business day, whether a hire date may be set.</p> <p>When fingerprints are required, notifies the Hiring Manager, the Human Resource Analyst (HRA) and the Senior HR Manager requesting fingerprints for a national check. Fingerprints are required within <b>21 days</b> of the date of the request.</p> <p>Notifies the Hiring Manager, HRA and the Senior HR Manager if fingerprints are not received after <b>14 days</b> as a reminder that fingerprints are required.</p> <p>If fingerprints are not received within <b>21 days</b>, notifies the Hiring Manager, HRA and Senior HR Manager that the case has been closed and the selected candidate must be removed from the job.</p> <p>Processes the fingerprint card (DHS0258) when received.</p> <p><b>Note:</b> If the employee begins work while waiting for the results of the background check, <b>active supervision is required</b> under OAR 407-007-0070 (d) and the employee is <b>not authorized</b> to drive on state business.</p>
6.		<b>Fitness Determination</b>
	Background Check Unit	<p>Conducts an Oregon criminal history, driving record and abuse check on the selected candidate's 301HR.</p> <p>Informs the Hiring Manager and HR Analyst via email that:</p> <ul style="list-style-type: none"> <li>• The selected candidate is "approved" or;</li> <li>• Based on the results, the history is forwarded on to the Office of Human Resources to conduct the final fitness determination; or, that</li> <li>• A national check is required and to obtain fingerprints from the selected candidate. Fingerprints must be submitted within <b>21 days</b>. If fingerprints are not received within 21 days, the case will be closed and the employee will not be eligible for employment and</li> </ul>

		<p>must be removed from the job, if already working.</p> <p>Processes the fingerprint card (DHS0258) when received.</p> <p>Reviews national criminal history results.</p> <p>Informs the Hiring Manager via email that:</p> <ul style="list-style-type: none"> <li>• The selected candidate's request is "approved", or;</li> <li>• Based on the results, the history has been forwarded on to the Office of Human Resources to conduct the final fitness determination.</li> </ul>
	Senior HR Manager/HR Analyst	<p>Reviews the selected candidate's 301HR. Gathers any additional information needed to conduct the final fitness determination.</p> <p>Conducts the final fitness determination, including weighing test, in consultation with BCU staff if necessary, to determine if the request is "approved," "closed" or "denied".</p> <p>Communicates the outcome to the Hiring Manager, the selected candidate and BCU.</p> <p>Once a decision has been made, the application and all information used in making final fitness determination must be sent to BCU for tracking purposes.</p>
<b>7.</b>		<b>If the Selected Candidate's Request is Denied</b>
	Senior HR Manager/HR Analyst	<p>Notifies the candidate by letter if necessary. Provides a Notice of Final Fitness Determination (DHS0300HR), information regarding the right to appeal, a copy of their 301HR and a Hearing Request (DHS0299HR). The candidate has <b>15 days</b> to submit the hearing request.</p>
	Hiring Manager	<p>Initiates the background check process (step 3) for a new selected candidate.</p>
<b>8.</b>		<b>Processing Hearing Requests</b>
	Background Check Unit	<p>Receives the Hearing Request within 15 days of denial date.</p> <p>Sends a letter to the subject individual to request more information within 14 days.</p> <p>If a response is not received, the case is closed for lack of participation.</p> <p>If a response is received, evaluates the criminal and abuse</p>

		<p>information provided by the subject individual and gathers additional information necessary to prepare the case.</p> <p>Sends notification to the Office of Administrative Hearings.</p> <p>Prepares the case and represents DHS in the hearings.</p>
	Senior HR Manager/HR Analyst	Provides assistance and participates in the hearings process as needed.
9.		<b>Destruction of Unused 301HR Request Forms</b>
	Management Service Representative (e.g. Exec Support Spec) or AD/CP	Once the final candidate's criminal history request has been completed, the Management Service Representative destroys all 301HR forms, including the hired candidate's, all fingerprint cards and any other related information within 30 days of the approval date of the final selected candidate.

## Policy that applies

[DHS-060-010, Background Checks](#)

## Forms that apply

- [DHS 0299HR](#) Hearing Request – for Abuse and Criminal Records Checks with Adverse Outcomes
- [DHS 0300HRC](#) Notice of Final Fitness Determination Criminal Records Check and Abuse Check – DHS Contractors
- [DHS 0300HRE](#) Notice of Final Fitness Determination Criminal Records Check and Abuse Check – DHS Employees
- MSC 301 HR Background Request [WORD](#) [PDF](#)
- MSC 301 HRC Background Request - Contractor only [WORD](#) [PDF](#)
- DHS 0258 Fingerprint Card

## Contacts

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## Procedure History

- **Version 3.0**
  - 6/30/12 – Links updated to revised forms: MSC 301 HR Background Request and MSC 301 HRC Background Request - Contractor only.
  - 2/1/2012 - Contact information updated.

- 6/7/2010 - Reflects changes requiring that a Management Service Representative (e.g. Exec Support Spec) or AD/CP are the only persons authorized to open and fax the selected candidate's Background Request (DHS0301HR) to the Background Check Unit in Salem. The individual **must** be in management service or an Authorized Designee or Contact Person for background check purposes and **cannot** be the Hiring Manager or a participant on the interview panel.
- **Version 2.0:**
  - 1/1/10 – Update includes implementation of abuse and neglect check. Changes to all non-institution employees.
- **Version 1.0:**
  - 12/1/08 – Initial release