

HORRY-GEORGETOWN TECHNICAL COLLEGE

PROCEDURE

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Related Policy: 3.1.15
Title: Background Checks
Responsibility: Vice President, Human Resources and Employee Relations

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President

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY

HORRY-GEORGETOWN TECHNICAL COLLEGE BACKGROUND PROCEDURE

Horry-Georgetown Technical College (HGTC) requires, at a minimum, a Background Investigation, reference checks, E-Verify, credit checks (applicable to prospective employees who will be responsible for handling or spending public funds) and most consumer reports applicable to the respective position to be performed on all newly hired employees—full-time and part-time as well as volunteers. The Background Investigation will be honored for the duration of employment or assignment. However, Temporary Staff and Adjunct Faculty Employees who are being hired into a Full-time equivalent (FTE) position and who have been employed by the College for at least one calendar year prior to full-time (FTE) Employment, will also be subject to a new Background Check.

The College will also require a Background Investigation on employees, as previously defined, who have an inactive work period of twelve months or more and return to work. During the advertisement of positions and/or application/interview process, applicants will be informed of the College Background check procedure.

Employees hired prior to the implementation of the HGTC Background Investigation Procedure will be subject to a Background Investigation if there is reasonable cause or in the event of a break in service of more than 15 calendar days. An employee experiences a break in State Service when the employee (1) separates from State service and is paid for unused annual

leave; (2) moves from a FTE position to a temporary, temporary grant or time-limited position.

An applicant cannot be denied employment based solely on the conviction or arrest of a crime; however, a Review Committee will consider the nature of the offense, when it occurred, specific circumstances and its relevance to the job in question. Based on the results of the background investigation, the Committee will decide whether to deny or terminate employment. The Committee will consist of the Associate Vice President for Human Resources, the appropriate Vice President and the Vice President for Academic Affairs. As necessary, the Committee will contact legal counsel and/or the Public Safety Division for additional guidance. The Committee will only be consulted when the results of a candidate's Background Investigations are questionable. The Committee's decision to deny employment or rescind a job offer based on the results of the Background Investigation can be appealed to the College President. The Committee's decision to terminate employment based on questionable results of the Background Investigation must be approved by the President.

An outside agency licensed to perform Background Checks will conduct all investigations. To ensure confidentiality of all applicant information, Human Resources Office will coordinate the background investigation process. Information obtained from background checks will be confidential and will comply with the Fair Credit Reporting Act. Only the Review Committee will be consulted when necessary. Supervisors involved in the hiring of a candidate will only be informed of a satisfactory or unsatisfactory status of the Background Investigation. Human Resources will maintain a copy of the Background Investigation.

The Background Investigation will include at a minimum the following and cover the past seven years:

- Criminal history search, including convictions, deferred adjudications or judgments, and pending criminal charges involving felonies, Class A, Class B and Class C violations (County, State and Federal)
- Social Security Number verification with address verification
- Sexual Offender and Predator Registry search
- Office of the Inspector General List of Excluded Individuals/Entities
- General Services Administration List of Parties Excluded from Federal Programs
- Homeland Patriot Act Known Terrorist and Narcotic Trafficking
- Motor Vehicle Records
- *Select positions may be subject to a credit history report

The final candidate(s) will be requested to sign a Disclosure and Consent Form. Candidates who refuse to sign the form will be considered withdrawing from the pre-employment process and no longer viewed as a candidate for the vacancy. The job offer will be extended to the selected candidate, contingent upon the results of the Background Investigation. If the results are satisfactory, the job offer will stand. If the results reflect issues of concern, the Committee will be asked to render a decision. The Committee's decision may result in rescinding the original offer. For full-time positions, there is the option to not extend the offer until the results of the Background Investigation have been received, or an offer may be made contingent upon satisfactory results of the Background Investigation. Supervisors hiring for part-time positions— instructional or non-instructional, will extend contingent job offers and ask candidates to sign the Disclosure and Consent Form.

Applicants have the right to review the information reported by the designated company for accuracy and completeness and to request the designated company verify the background information provided is correct. Prior to making a final determination, that will adversely affect the applicant or student, the College will:

- provide the applicant a copy of or access to the background check report issued by the designated company
- inform the applicant of their rights
- provide the investigation company contact information to challenge the accuracy of the report
- notify the applicant that the designated company was not involved in any decisions made by the College.

Falsification of information, including omission of relevant information, may result in an offer not being made, an offer being rescinded or other disciplinary action, including termination, and will be addressed through the College's disciplinary action procedure.