



BACKGROUND CHECKS

PURPOSE

Healthy Minds Consulting, Inc. (HMC) believes that hiring qualified individuals to fill positions contributes to the overall strategic success of the company. Background checks serve as an important part of the selection process at HMC. This type of information is collected as a means of promoting a safe work environment for current and future HMC employees, clients, and the minors the company works with on a daily basis, ensuring the protection of the current people, property, and information of the organization. Background checks also help HMC remain compliant with municipal, state, and federal agencies and obligations.

POLICY

At HMC, reference checks are conducted for employees, contractors, volunteers, and interns. HMC will use a third party agency to conduct the background checks. The type of information that can be collected by this agency includes, but is not limited to, that pertaining to an individual's past employment, education, character, finances, reputation, criminal record, etc. This process is conducted to verify the accuracy of the information provided by the applicant.

HMC will ensure that all background checks are held in compliance with all federal and state statutes, such as the Fair Credit Reporting Act. For example, the Americans with Disabilities Act prohibits organizations from collecting non job-related information from previous employers or other sources. Therefore, the only information that can be collected is that pertaining to the quality and quantity of work performed by the applicant, the applicant's attendance record, education, and other issues that can impact the workplace.

HMC may make inquiries regarding criminal records during the pre-employment stage, however, as designated in Title VII of the Civil Rights Act of 1964, this information cannot be used as a basis for denying employment, unless it is determined to be due to job-related issues or business necessity. This includes requirements and obligations that HMC holds with the municipal agencies it works with.

HMC may collect credit information on applicants consistent with the guidelines set forth by the Federal Credit Reporting Act (FCRA). The Fair Credit Reporting Act requires organizations to obtain a candidate's written authorization before obtaining a credit report. When doing this, the employer must:

- Certify to the consumer-reporting agency that the employer is in compliance with the FCRA and will not misuse the information it receives.
- Disclose to the applicant or employee, on a separate form, its plans to obtain a consumer or investigative consumer report and that the information received will be used solely for employment purposes.
- Obtain written authorization from the applicant or employee.
- Inform the individual of his or her right to request additional information on the nature of the report and the means through which such information may be obtained.
- Inform the applicant that the report will include information about the individual's character, general reputation, personal characteristics, etc.
- Provide the individual with a summary of his or her rights under the FCRA.

If the results of the credit check are negative, the organization must inform the applicant if it plans on taking adverse action, provide the applicant with a Statement of Consumer Rights from the FTC before adverse action, provide the applicant the opportunity to review a copy of their credit report, and advise the applicant of their rights to dispute inaccurate information. Applicants should be granted reasonable time to contest the information (approximately 3-5 days).

RECORDKEEPING:

Information attained from the reference and background check process will only be used as part of the employment process and will be kept strictly confidential.