



*Background Check Policy*

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**01. Purpose**

The University endeavors to provide a safe environment for all members of the University Community. An important part of those efforts is the University's process for screening candidates for employment and when appropriate, for reviewing employees for continuation of employment. This process includes inquiring about an applicant's conviction record and pending arrests (and performing criminal history and related background checks) after the otherwise qualified applicant has been given a conditional offer of employment; and also when conducting post-hire re-checks under appropriate circumstances.

Convictions and the existence of pending criminal proceedings (a "Criminal Record") disclosed or discovered through these background checks may influence the hiring of an individual who has been conditionally offered employment (or the continuation of a current employee) when the facts related to the criminal activity reasonably bring into question whether the individual can be relied upon to safely and honestly perform his or her job duties. Likewise, the failure of an individual to be forthcoming about his or her Criminal Record or any misrepresentation of education or work history may also influence decisions regarding the hiring of an individual who has been conditionally offered employment or the continuation of an employee.

When performing Criminal Record background checks, the University (as a New York State and New York City employer) must comply with applicable law, including Article 23-A of the New York Correction Law ("Article 23-A") and New York City Administrative Code, Chapter 1, § 8-107 Subdivisions 10 and 11. Article ethe



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**Background Checks for Rehires**

Individuals who incur a break in service of twelve months or greater are required to undergo a new criminal background check. Those who are rehired within less than a year following the termination date for whom the University did not previously perform a criminal background check, will also be required to undergo a new background check. Sabbaticals and other leaves of absence granted to faculty members pursuant to the Faculty Handbook are not deemed breaks in service for the purposes of this Policy.





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**04. Issues in Hiring due to background check information**

**Completion of Background Check as Condition of Employment/New Responsibilities**

A completed background report that has been reviewed and determined to be satisfactory is a condition of employment for prospective new hires. It is also a condition for appointment of current employees to new staff or administrative positions or current employees' assumption of new job duties or assumption of new job responsibilities in accordance with Section 02 of this Policy. All offers of employment will be extended with the understanding that commencement of employment (or commencement of the new position or job responsibilities) is dependent upon acceptable results with respect to the background check.

**Criminal Conviction's Effect on Employment/Reclassification or Promotion**

In compliance with Article 23-A, when a Criminal Record is revealed in the background check, Human Resources and the manager will review the results and make the final determination regarding the individual's suitability for (or



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**Convictions That Will Generally Preclude Hiring a Candidate**

Consistent with Article 23-A, in each instance, a thorough analysis will be conducted by Human Resources and others specified in this Policy, in consultation with appropriate administrators and University Counsel.

**05. Hiring Process & Forms**

**Hiring Procedure**

Once the Hiring Manager identifies a finalist, the Manager will then notify the University Talent Acquisition Department. This must take place prior to extending a condition