

## Criminal Background Screening Policy

For Associates hired through People2.0

### Basic Background Screening

#### BACKGROUND CHECK

7-year Background Search Level 1 with NCD

- Criminal Check
- National Criminal Database
- Sex Offender Search (National)
- SSN Trace

If requested, Hiregy will review any additional screenings needed by the Client and provide fees associated with running add ons.

Additional screenings may include: Healthcare sanctions, employment verification, education verification, motor vehicle report, credit history or other screenings

### Background Screening of Applicants

People 2.0 and Hiregy (“the Company”) will conduct a thorough criminal background screen on employees placed at each client’s facility. The background screen conducted will be based on the requirements outlined by each client. Conducting a criminal background screen helps Hiregy avoid exposure to allegations of negligent hiring and risks of workplace violence.

Before a background screen is completed, each candidate is provided with the [Summary of Your Rights Under the Fair Credit Reporting Act](#) notice along with appropriate state notices. Each candidate is also required to complete background authorization and disclosure forms to initiate the background screening process. Only applicants that are seriously being considered for hire at a client’s facility will be submitted to a criminal background screen.

Before conducting a criminal background screen, Hiregy will confirm in advance that any client criteria provided is legal, and job related. Hiregy will also request the job description for each position in advance to determine if an individual’s background will meet the requirements of the position. Hiregy will use pre-employment investigation tools that are reasonable, appropriate, and relevant to the specific position for which the applicant is applying. Hiregy will be consistent, completing the same process or checks with all candidates for the position. If a candidate does not pass the background screening process, Hiregy will follow the appropriate adverse action process.

### Scope

As required by law, the background screen will conduct a seven-year search of criminal records on the county, state and federal level. **If a client company has specific background screening requirements for work assignments, the requirements should be communicated to Hiregy in writing.** Hiregy will follow these guidelines as permitted by law.

### Release of Background Screens

Hiregy recognizes that a key reason client companies use staffing agency employees is to avoid employment-related claims and liability. Sharing employee background screen results may quickly expose the client company to the liability that goes along with the decision regarding the employee’s eligibility. **Unless otherwise stated in the client contract, if a candidate’s background meets Hiregy’s requirements as described below, the information disclosed to the client regarding the background will be limited.**

### Hiregy’s Policy on Employing Individuals with a Criminal Record

Due to state and federal laws such as the Federal Credit Reporting Act (FCRA), and Equal Employment Opportunity Commission (EEOC) guidelines, Hiregy makes determinations on conviction records on a case by case basis. EEOC, FCRA and State laws prohibit employers from making blanket exclusions on individuals with a criminal record. **Bans on hiring anyone with a criminal record without consideration for the details may create a significant liability for employers.**

## Understanding Arrests vs. Convictions

It is important to distinguish arrests from convictions. Some states specifically prohibit employers from using information about an Applicant’s arrest record if arrests did not result in conviction. State laws typically establish the conditions under which employment or job assignments can be refused due to a prior criminal conviction. Generally, these rules establish that reasons for disqualifying a job applicant must be job related. Hiregy will request and consider convictions within the past 7 years for eligibility purposes.

With respect to conviction records, Hiregy will consider the following factors:

- Any specifically applicable law, rule, regulation or requirement;
- The nature and severity of the crime(s) committed;
- The age of the individual at the time the crime took place;
- The time that has elapsed since the crime took place;
- Whether, and the extent to which, the applicant is now under court supervision;
- The nature of the specific job assignment and the supervision provided;
- The contact the individual will have with others, and the ages and type(s) of people present in the work environment, and
- The worker’s access and exposure to valuable property and or sensitive information.

## Felony Convictions

A candidate with a felony conviction on their background, will not be placed on any assignment without the expressed consent of the client. **The client may request to waive this notification if the candidate’s background meets Hiregy’s standards.** Hiregy will always obtain the appropriate authorization from the candidate before disclosing this information to the client.

Unless otherwise required by law, Hiregy will not employ any individual convicted of a violent felony within the past seven years.

Where locally applicable law pertaining to the hiring of felons prohibits the hiring restriction described above, Hiregy will adopt the most restrictive policy permitted by law.

Along with any additional requirements and the above factors, Hiregy will follow the general guidelines below when making decisions on an applicant’s criminal history. Please note that these guidelines are not inclusive of all backgrounds and circumstances and may require additional considerations based on each individual’s background.

Clean record/No convictions	Meets Hiregy Standards.
Infractions – Traffic or vehicle code violation (includes traffic misdemeanors)	Meets Hiregy Standards. If the position requires the candidate to drive for work related purposes, additional considerations will be made, and a full Motor Vehicle Report completed.
Drunk driving or other Misdemeanor convictions not relating to an employee’s job assignment.	Generally, meets Hiregy Standards but may require individual review.
“Violent” Misdemeanor conviction and/or pending violent Misdemeanor	Requires individual review.
Non-violent Felonies	May meet Hiregy standards depending on the nature of the position and individual review.
Violent felony conviction within the past seven years.	Generally, <u>does not</u> meet Hiregy standards but may require additional review.
Registered sex offender	Requires individual review and consideration of applicable law.

This policy is subject to change and may be revised based on updated applicable laws.