

POLICY



MEMORANDUM

SUBJECT: Applicant Screening and Reference Checks for Current or Former State of Georgia Employees	EFFECTIVE: 12/12/2017
ISSUED BY: DEPARTMENT OF ADMINISTRATIVE SERVICES	

I. Purpose and Scope

- a. State Personnel Board Rule 478-1-.06, *Recruiting, Screening, and Hiring*, requires agencies to sufficiently vet applicants being considered for employment to ensure suitability for hire. This policy provides standards for agencies to seek and share employment information when current or former State of Georgia employees are being considered for hire.
- b. This policy applies to those agencies covered by the Rules of the State Personnel Board. They include Executive Branch employers, local departments of Public Health, and Community Service Boards. This policy does not cover other public corporations, State Authorities, Legislative or Judicial Branch employers, or the Board of Regents.

II. Legislative Authority

Under the Official Code of Georgia Annotated, Section 45-20-4(3), the Department of Administrative Services (DOAS) Commissioner is responsible for administering the adoption and compliance with the rules and regulations of the State Personnel Board.

III. Hiring Agency Responsibilities

- a. Prior to hire, agencies must check references and sufficiently verify the experience, education, and/or other credentials that contributed to an individual meeting position qualifications.
- b. When considering a current or former State employee, reference checks must include contacting the current and prior State employers for job-related information.
 - 1. If an employee has a long State employment history, the hiring agency may determine when it has sufficient reference information.
 - 2. The hiring agency may request reference information either through the prospective employee's Human Resources office or from the prospective employee's supervisor references directly.

- c. The hiring agency is to review the Applicant Verification Portal provided by the substance abuse testing administrator to ensure there is no active employment disqualification for a substance abuse testing violation.
- d. The hiring agency must also review the State Human Resources Information System (currently PeopleSoft TeamWorks HCM) for previous and current State employment history.
- e. If the Human Resources Information System indicates that the employee was dismissed or not recommended for rehire, the hiring agency is to seek more specific information from the previous employer as part of the reference check.
- f. An agency may implement a policy that requires applicants to sign a consent for release to gather reference information from current and prior employers.

IV. Reference Information Disclosure

- a. State agencies are expected to disclose to one another reference information that is factual, job-related, and not confidential.
- b. Under the Official Code of Georgia Annotated, agencies who disclose to a prospective employer factual information regarding an employee's or former employee's job performance or ability to carry out their duties are presumed to be acting in good faith, UNLESS confidential information is disclosed or a preponderance of evidence shows lack of good faith.
- c. Agency Human Resources staff and other officials designated by an agency may provide the requested reference information.

V. Documenting Poor Performance

- a. To support effective screening of current and former State employees and to minimize the potential for an agency to hire an applicant with a history of poor performance, employing agencies are responsible for documenting deficiencies in job performance and adherence to employment standards. Examples of appropriate documentation include performance evaluations, corrective action documents, and notes from coaching or counseling sessions.
- b. Effective documentation will alert a prospective employer to a history of poor performance. It can also assist a prospective employer with determining whether the past poor performance would be applicable to the new job.

Effective Date

This policy becomes effective December 12, 2017, and may be revised as necessary.

References

O.C.G.A. §34-1-4 (Employer immunity for disclosure of information regarding job performance)

State Personnel Board Rule 478-1-.06 (Recruiting, Screening, and Hiring)