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PHOENIX BUSINESS JOURNAL: THE DO'S AND DON'TS OF USING BACKGROUND CHECKS IN HIRING

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Shayna Balch was a guest blogger for the *Phoenix Business Journal* on September 16, 2014.

According to a recent survey conducted by the Society of Human Resources Management (SHRM), more than 90 percent of employers use criminal background and credit checks to screen potential or current employees.

Due to this trend, the EEOC has issued Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1954, as amended (Title VII).

While the use of a background check can provide employers with unique insights into who they might be hiring, incorrect use of background information can lead to a host of problems. In order to remain compliant with the EEOC and prevent the possibility of discrimination lawsuits, there are several best practices that employers should implement when considering who to hire and who to fire.

- **Be wary of the financials**
- **Application verbiage is key**

The bottom line: If you plan on using background or credit checks to make hiring decisions, work with your human resources team to ensure that all of your procedures are consistent, that the inquiries are job-related and that the potential candidate provides you with written consent prior to running these checks.

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