REFERENCE AND BACKGROUND CHECK PROCESS

Instructions:

1. Following an interview, the finalist(s) must sign the Reference and Background Check Release Form.
2. References on the finalist(s) must be checked prior to making a hiring decision. For internal finalist(s) and previous San José State University employee(s), the hiring administrator may request a review of a personnel file by scheduling an appointment with the Office of Equal Opportunity/Employee Relations. (Please note that the review of a file will take place in Human Resources.) However, the best course of action is for the hiring administrator to contact the appropriate administrator currently managing the employee to get the most current and relevant feedback regarding an employee's job performance.
3. A copy of the Reference and Background Check Release Form may be e-mailed to a prospective reference.
4. The finalist(s) identified for a position must complete the Accurate Background Check process. Workforce Planning will arrange this directly with the finalist(s) via email once the hiring manager has provided the finalist(s) name(s) to Workforce Planning.

Please note: Failure to conduct a thorough reference/background check before hiring leaves the university open to negligent hiring claims. These claims arise when an employee with a record of instability, violence, or other inappropriate behavior injures someone in the course of employment, and where the employer could have prevented the injury through a reference check. If a court finds that the university could have anticipated inappropriate behavior and could have prevented injuries by rejecting an applicant, the university can be held liable for compensatory and punitive damages.