

# Background Check Procedures

BMRS Office Hours

April 16, 2025

## Wisconsin Human Resources Handbook Chapter 246 - Verifying Applicant Information & Securing Applicant Background Checks

### Provides guidance on verifying applicant information

- Such as veteran status, race/ethnicity, registration for selective service, or any other special qualifications required of the position (licenses, certifications).

Establishes enterprise policy and agency procedures for conducting criminal and non-criminal background checks as per s. 111.335(1)(1), (b), and (c) and s. 230.17(3), Wis.Stats.; and s. ER-MRS 6.10, Wis. Adm. Code.

- All information collected is confidential and shared on a need-to-know basis or required by law
- Agency procedures will identify appropriate employee(s) to perform criminal checks and the scope of their responsibilities
- Those conducting or viewing results must be properly trained or experienced with the policy and any agency-specific procedures to be authorized to be involved.
- Individuals that conduct or view results must sign a Confidentiality Agreement (see handbook attachment)

## Agency Policies Determine Background Checks Required

The nature of certain positions may require additional criminal or non-criminal checks

- They must be directly related to the duties and requirements of the position
- They must also be noted in the job posting



## Agency Policies Determine Background Checks Required

Additional checks should also be required for every permanent and every new hire (including contractors, LTEs, project, interns, intergovernmental exchanges) when any one of the following conditions apply:

1. When employment depends on the bondability of the individual. (See s. 111.335(1)(a), Wis. Stats.)
2. If the law prohibits the appointment of an individual with a criminal conviction record to a specific classification (e.g., the position requires the employee to possess and use a firearm). (See s. 941.29, Wis. Stats.)
3. If the position is one in which an applicant's potential pending charges or conviction record could substantially relate to the circumstances of the particular job or licensed activity. (See s. 111.335(1)(b) and (c), Wis. Stats., and section 246.120 of this handbook chapter.)
4. If the position involves fiduciary responsibility. (See s. 230.17(3), Wis. Stats.)
5. If the position involves access to operator's licenses and identification cards or the information systems in which they are stored. (See s. 110.09, Wis. Stats.)
6. If the position is responsible for the care, safety and security of children and adults. (WI Caregiver Law)

## Agency Policies Determine Background Checks Required

“In-house Check—If the final candidate has lived only in Wisconsin and has no employment history outside the state, the agency may conduct the check in-house by using the Wisconsin Department of Justice (DOJ) State of Wisconsin Criminal Background Check process and the Wisconsin Sex Offender Registry, as well as any other applicable on-line databases.

In the alternative, a private, commercial vendor may be used to conduct the background checks.

A hybrid approach may be used that involves performing a social security number trace and sex offender check through a vendor. If the result of the social security number trace shows Wisconsin residence only, the background check may be completed by using the DOJ and the Wisconsin Sex Offender Registry check process.”



# TruView Search Options

Item	Cost per item
Social Security Number Trace	\$1.50
Sex Offender Registry Check	\$2.00
Global Watchlist Records Check	\$3.00
National Criminal Records Check	\$2.00
Unlimited County Criminal Check	\$21.00
Optional Items	Cost per item
Education Verification Check	\$16.00
Professional Licensure Check	\$8.00

# General Background Check Recommendations

- The **Standard Package** includes the Global Watch List which is different from an International Check. If flagged, follow agency process to determine next steps.
- **International Check** is an optional add-on apart from the Standard package. Typically, this is not needed; these tend to be unreliable and can take much longer to process.
- **Optional Items** may be added to a Standard Pkg order or as an A La Carte order at additional cost.
  - Professional Licensure – recommend using DSPS for WI check, if OOS then may use TruView.
  - Education – recommend asking candidates to provide official transcripts if required.
- Use TruView's **Adverse Action** process and tools to comply with FCRA requirements. The process was reviewed and approved by DOA Legal.

# TruView Product Order Options

- A La Carte
- Standard Package

**Select Product for Order**

<a href="#">Order →</a>	STATE OF WISCONSIN - A LA CARTE
<a href="#">Order →</a>	STATE OF WISCONSIN - STANDARD PACKAGE



# A La Carte Option

<b>Identity Development</b>
<b>SSN Trace &amp; Address History</b>
<input type="checkbox"/> SSN Trace & Address History
<b>Investigative</b>
<input type="checkbox"/> County Criminal Records Search
<input type="checkbox"/> International Criminal Records Search
<input type="checkbox"/> National Criminal Database Alias Search
<input type="checkbox"/> Global Security Watch List
<input type="checkbox"/> Sex Offender Records Search
<b>Credentials</b>
<input type="checkbox"/> Professional License
<input type="checkbox"/> Education Verification

**Note: International Search** - not part of our Standard Pkg and is not recommended unless the candidate does not have domestic records.

# Standard Package Option

## Identity Development

### SSN Trace & Address History

- ☒ SSN Trace & Address History

## Investigative

- ☒ County Criminal Records Search
- ☒ National Criminal Database Alias Search
- ☒ Global Security Watch List
- ☒ Sex Offender Records Search

All 5 Searches for \$29.50

# TruView Processing Steps

Review Draft Job Aid



# TruView Settings & Processing Notes

**Duplicate Orders** - will be flagged for the same SSN, if run by the requesting agency within the last 180 days (BMRS recommendation is to not reuse background check results after 30 days)

**Court Fees & State Access Fees** - are not included in package prices. Fees, are passed through at cost. These fees will be charged for aliases. TruView's Public Record Searches includes a **direct to court** search and do not use "screenscrapers" or databases alone, which may lead to inaccuracies and violations of the FCRA.

# TruView Settings & Processing Notes

Unless otherwise stated, or requested, all public records research is seven (7) years in scope.

- **General 7-Year Rule:** The Fair Credit Reporting Act (FCRA) generally limits background checks to a 7-year lookback period for non-conviction information like arrests, civil judgments, and tax liens.
- **Exceptions to the 7-Year Rule:**
  - **Criminal Convictions:** Criminal convictions may be reported indefinitely, depending on state laws.
  - **Bankruptcies:** Bankruptcy filings can be reported for up to 10 years.
  - **Certain Jobs and Industries:** Background checks for jobs with higher salaries or in industries with stricter regulations (like finance or government security) may go back further than 7 years.
  - **Employer-Conducted Checks:** If an employer conducts the background check themselves, rather than using a third-party agency, they may not be subject to the same 7-year limitations.
  - **Specific State Laws:** Some states have specific laws that may affect how far back background checks can go, including clean slate laws that provide automatic record sealing or expungement.



# TruView Settings & Processing Notes

- **QuickApp template - email** requesting candidate info and authorization has changed
  - Template letter will say “To remain in active consideration for employment, you must complete the background questionnaire within 2 days” (matches interview notice window)
    - Previously it said “within 14 days.”
    - Email Invite will expire at the same time; requested 7 days instead, otherwise recruiters may have to resend more often
- **Conditional offers** - OK to extend pending background check results especially if experiencing delays.



# TruView Settings & Processing Notes

**Steps to take if reports aren't completed within 2-3 days** (*industry standard turnaround time*)

- Check for correct email
- Check whether they have completed the QuickApp
- Check on whether the invite has expired
- Check to ensure order isn't in Applicant Ready status – ready to review recommended searches for approval
- Check TruView Home page for Court Access Alerts for known delays
- Check Pending Reports - see if there are counties where results are still pending, determine if you have enough info to proceed, consider a contingent offer
- Use TruView Request Help button to inquire about specific reports when you have questions about delays, etc.



Thank You!