

3.12 REFERENCE CHECKS AND EMPLOYMENT VERIFICATION

References for Current or Former Employees

The following information shall be routinely provided by the ~~Bureau of Human Resources~~ Auditor's Office in response to inquiries regarding current or former City employees:

- Verification that an individual is or has been employed
- The dates of employment
- The title of position held
- Salary of employee when they left the City
- Whether employment was part-time or full-time
- The bureau and work unit where employed

If a supervisor or manager believes additional factual information should be provided, they should consult with ~~their Site Team Manager to~~ Management Services to determine whether ~~ensure~~ the additional information ~~may~~ should be released.

Legal Protection

Under Oregon law, an employer who discloses information about an employee's job performance to a prospective employer is protected from civil liability if the information is given in good faith. However, the presumption of good faith is rebutted where it can be shown that the information disclosed by the employer was knowingly false or deliberately misleading, was disclosed with malicious purpose or violated any of the employee's civil rights.

New Hire -Reference Checks

When to Obtain References

After completing all interviews, and prior to making a hiring decision and commitment, check the references of the final candidate(s). **Hiring authorities managers are expected must to check job references.**

The hiring ~~authority~~ manager should:

1. Advise applicants that references will be checked and verify the applicant's consent with a signed **Reference Release** form.
2. Determine in advance what reference information is needed. Questions must be job related and comply with the **Fair Pre-Employment Inquiry Guidelines**.
3. Focus reference check on knowledge, skills, and abilities required for your specific vacancy and take notes on the **Reference Record**.

The above attachments ~~are not considered part of the binding human resources administrative rules~~ are considered guidance for hiring managers.

Fair and Unfair Pre-employment Inquiries

To comply with federal and state hiring laws and the ~~City's Auditor's Office~~ non-discrimination policy, hiring ~~supervisors and~~ managers must exercise care to avoid making unfair pre-employment inquiries, whether on forms, during interviews, or when requesting information concerning applicants.

All Hires Checked Through Central Human Resources IT System

~~The Auditor's Office will conduct a pre-employment crosscheck to ensure all prospective employees are eligible for hire. All new hires, regardless of type of appointment, must be confirmed through the Bureau of Human Resources as being eligible for hire.~~ See Administrative Rule on Types of Appointments for process.

Contact Information

Questions about appropriate reference information to release should be directed to ~~the Bureau of Human Resources.~~ Management Services.

Administrative Rule History

~~Adopted by Council March 6, 2002, Ordinance No. 176302
Effective April 5, 2002~~
