



September 20

Current Issues in Human Resources & Background Checks

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Dear Jeff,

The third quarter of this year is almost behind us now. It's been a tumultuous year with a roller coaster of economic conditions reeking havoc on businesses.

Most economists are predicting a up-tick in the forth quarter. If you've been in lay-off mode, it might be time to consider rethinking that hiring process before hiring mode kicks in. KRESS is offering a group of services oriented to this new hiring mode. Quick, inexpensive searches that will allow you to quickly on-board those new employees to meet the improving economy. Contact us today and get a new price list with all the new packages. Let's get ready for the rebound.

Federal Contractors Required to Begin Using of E-Verify

Federal contractors and subcontractors will be required to begin using the U.S. Citizenship and Immigration Services' E-Verify system starting September 8, 2009, to verify their employees' eligibility to legally work in the United States. The new rule implements Executive Order 12989, as amended by President George W. Bush on June 6, 2008, directing federal agencies to require that federal contractors agree to electronically verify the employment eligibility of their employees.



Federal contracts awarded and solicitations issued after September 8, 2009 will include a clause committing government contractors to use E-Verify. The same clause will also be required in subcontracts over \$3,000 for services or construction. Contracts exempt from this rule include those that are for less than \$100,000 and those that are for commercially available off-the-shelf items. Companies awarded a contract with the federal government will be required to enroll in E-Verify within 30 days of the contract award date. **They will also need to begin using the E-Verify system to confirm that all of their new hires and their employees directly working on federal contracts are authorized to legally work in the United States.**

During Fiscal Year 2008, more than 6.6 million employment verification queries were run through the system representing 1 out of every 8 hires made in the United States. Approximately 96.1 percent of all cases queried through E-Verify are instantly found to be employment authorized, and individuals who are not immediately cleared are given the opportunity to correct their government records in order to confirm their work eligibility.

When is it Safe to Hire Someone With a

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Federal Contractors Required to Use E-Verify

As of September 8th, Federal Contractors must use E-Verify to verify the eligibility for employment for their employees.

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Criminal Record?

Carnegie Mellon University researchers have created a model for providing empirical evidence on when an ex-convict has been "clean" long enough to be considered "redeemed" for employment purposes.

The new study estimates that after five years of staying clean an individual with a criminal record is of no greater risk of committing another crime than other individuals of the same age. The research comes at a time when President Barack Obama's crime agenda includes breaking down employment barriers for people who have a prior criminal record, but who have stayed clean since their earlier offense.

With Title VII moving to the forefront again in the consumer reporting industry which includes employment screening, employers must be careful that when denying employment based on a criminal conviction that it falls into an area where the denial of employment can be defended.

Following these standards should help employers when making hiring decisions.

Simple Guidelines to Avoid Title VII Issues

1. Don't use anything other than convictions as a reason not to hire a candidate or promote an employee.
2. Don't consider irrelevant case information or types of criminal activity.
3. Use shorter cut-off periods in your guidelines. They are much easier to defend.
4. Tailor vendor practices to your job-related specifications.
5. Comply with The Fair Credit Reporting Act and your state's rules and regulations.
6. Don't have a blanket policy excluding all criminal convictions or activity.
7. Avoid terminating individuals who have been employed for long periods of time after finding a current criminal conviction.

Employers should also seek the advice of an attorney when establishing a set of rules when using adverse information found on their background checks.

KRESS Discontinuing Consent Based Social Security Verification (CBSV)

In January KRESS began offering a service offered by the Social Security Administration (SSA) to help employers verify social security numbers before hiring an applicant. This program was a low-cost option for verifying that the information provided by applicants was correct.

Unfortunately, the SSA has decided to raise the cost of this program by almost 900% per search putting it out of reach for most employ Why would they do this? The SSA justifies the price increase by stating that, "... (the original price was) based on our assumption that w would receive 5.7 million SSN verification requests annually. That volume, however, did not materialize, and we now estimate receiving million requests." As a result, KRESS will no longer provide this service as of September 15, 2009. We apologize for any inconvenience that this may cause.



FREE E-Verify KRESS is offering free access to E-Verify with the purchase of a standard background check package.

Contact KRESS for Details
888-636-3693 /
sales@kressinc.com

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