



Background Screening 101: Managing the Risk of Hiring



Speakers

Moderator



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The Opinions Expressed

- Are just that – opinions
 - 33+ years experience in HR, Training and Business Management
 - Recovering End User
 - Founded LS Screening in February 2004
 - Currently support 200+ dealerships across the U.S. as well as 200 non-auto Clients operating in 44 states.

Southern Idioms

- You may hear some unfamiliar terms today
 - Ya’ll: More than one person; could be as many (people) as the speaker is addressing
 - Fixing To: Preparing; “about to..”
 - Bless Your Heart: Used to express sympathy bordering on pity
 - “I’ll tell you what...”: Used when the speaker believes he/she is about to say something profound and/or the absolute truth.

When used in a sentence:

I'll tell ya'll what– that poor boy who's fixin' to talk to us about background checks sounds like he's scared half out of his mind – bless his heart.

Today's Topics Include

- What Background Check Companies don't want you to know
- Understanding Your Current Scope of Service – its strengths and limitations
- The Truth About Drug Testing
- Q&A

BI Companies Want You to Believe

- Their data is “proprietary”
- They can guarantee time service
- They don’t miss records/make mistakes
- Their researcher network is “exclusive”
- They have a “national” search

Hate to Burst Your Bubble...

- There's no such thing as "better data"
 - Some providers may have better formats, more or less information, etc.
- When it comes to criminal records, we all draw our water from the same well
- Time Service is a function of the County Clerk
 - Some have on line access/public access terminals
 - Some are "Clerk Search" i.e. Clark County NV

Bubble Bursting (continued)

- This is a “Human Enterprise” – everyone makes mistakes - *Everyone*
- No company can have employees in every county (3141); we all “share” researchers
- Regarding “national” searches, unless you have access to the FBI records, it isn’t national and only those with statutory authority are allowed to access it.

Understanding Your Scope

- Standard Protocol
 - County Criminal Record Search - use address history/SSN Trace to determine counties for past 7 years – search those counties for records
 - Motor Vehicle Record (MVR)
 - Sex Offender Search
 - Drug Test – 5 Panel or 10 panel

What You Might Be Missing

- Criminal: Adding a multi-jurisdictional that includes the National Sex Offender; provides extra layer of coverage
- MVRs – don't always include DUI/DWI info.
 - 3%-10% of your workforce have invalid licenses, you have wrong information in your files or they have disqualifying tickets
- Drug Testing – more to follow
- Verifying previous experience/credentials

Remember Why You're Doing This

- Risk Management
 - Minimizing the threat of negligent hiring/hostile work environment liability by doing what is reasonable
 - VOE and VATH: **V**iolence, **A**ttendance, **T**ardiness & **H**arassment – at a minimum you or your provider should ask about past incidents
 - Verifying previous employment & credentials is time consuming
 - The real problems occur when shortcuts are taken

Picture This...

You're testifying in a courtroom and the opposing attorney says to you:

“So you didn't even try to find out if this person had a history of violent behavior before you hired him?”

Drug Testing

“We have become a nation of pill poppers... In 2010, 254 million prescriptions for opioids were filled in the U.S. – enough to medicate every American adult around the clock for 30 days...

Non –medical use of prescription painkillers costs health insurers \$72.5 Billion annually in direct health care costs.”

Painful Medicine

Fortune Magazine – November 21, 2011

Drug Testing Lexicon

- 5 Panel Drug Test: The most common drug test - Marijuana, Cocaine, Opiates, Amphetamines (Meth) & PCP; Heroin added to Opiates in 2010
- 10 Panel: 5 Panel PLUS Barbituates, Benzodiazepines, Methadone, Oxycodones & Propoxyphene
- MRO “Reject” – a positive result overruled and reported as negative by the MRO due to a legal prescription, etc.

Drug Testing Trends*

- Drug Use is declining overall
- Cocaine/Amphetamine use increasing; positive results up due to lower cutoff levels
- Meth/Opioid use increasing – opioids particularly in post accident tests (70% increase)
 - 57.7% US Population age 12 and up abused hydrocodone; 21.7 abused oxycodone
- Marijuana continues to be the “drug of choice”

* Sources: Quest 2010 Drug Testing Index & DHHS/SAMHSA Drug Testing Advisory Board Report (2008)

The “Truth” About Drug Testing

- It's no longer about 5 panel vs. 10 panel
 - Higher positive result rate with 10 panel but
 - Higher rejection rate by MRO (70% Opiates/30% for amphetamines) with 10 panel
 - Majority of positive results are for marijuana/cocaine - 0% MRO rejection rate

The Truth About Drug Testing

- The most effective deterrent is a 360 Degree program – you should consider:
 - 5 Panel Pre-Employment (effective and efficient)
 - 10 panel or Hair Test (5 panel) for Random
 - 10 panel Post Accident
 - Strong Reasonable Suspicion Procedures
 - Certified Collectors, SAMHSA Labs, MRO Review

Your “Take Away”

- Your background check program should be well-rounded with periodic audits
- Your drug testing program should be 360 degrees and a blend of protocols
- You’ll never get to 100% - but it’s about the ability to defend your process. You and your provider should review your company statistics and national trends annually and make adjustments as needed.

Thanks Ya'll

More information is available at

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