

Self Background Checks Proactively Conducted by Job Seekers to Help Verify Accuracy of their Public Information

By Lester Rosen

If jobseekers want to get hired for a job these days, they will probably have to undergo a background check. And if they have to undergo a background check, it would be in their best interest to make sure the information found on the background check is accurate, up-to-date, and complete. As a result, some jobseekers are taking matters in their own hands by proactively conducting "self" background checks on themselves to verify the accuracy of their public information. This is Trend #10 on the list of the fifth annual Employment Screening Resources (ESR) "Top 10 Trends in Background Checks" for 2012.

Background checks have become commonplace in today's security conscious world. A 2010 survey from the Society for Human Resource Management (SHRM) revealed that approximately three out of four businesses conduct background checks on job applicants. More specifically, 76 percent of organizations conducted reference background checks for all job candidates and 73 percent of organizations conducted criminal background checks for all job candidates by reviewing consumer reports of candidates. The SHRM survey also found that 60 percent of employers credit background checks on either some or all candidates while 40 percent did not conduct any credit background checks at all.

Because of this focus on employment background checks , especially for positions with financial responsibility and access to confidential information , job applicants are finding ways to check on their own personal information before their prospective employers do to verify its accuracy. One way to verify public information found during employment screening is through a "self" background check. By conducting self background checks, job seekers may discover that they have fallen victim to some of the following situations that have popped up during real background checks, situations that could hinder their attempts to find employment:

- A job seeker is the victim of identity theft.
- Someone with the same name as a job seeker has committed a crime.
- Some minor or old criminal matter that the job seeker thought was judicially set aside or was too old to matter still pops up.
- Some past employer or school does not have the job seeker's record under the proper name so that a background check may be inaccurate.
- A school may have a job seeker under a different name, or may not have given the job seeker the degree due to not paying a final bill and the school did not officially give the degree.
- A driving record check may reveal an old ticket that the job seeker thought was taken care of but went to a warrant for failure to appear.

With self background checks, job seekers can verify their employment, education, credentials, licensing and clean criminal record. Self background checks allow job seekers to conduct searches similar to those conducted by professional and accredited background check companies, including:

- Education Verifications
- Employment Verifications
- Professional License/Credentials Verification
- County Criminal Court Search
- Department of Motor Vehicle (DMV) Search
- National Multi-jurisdictional Database Criminal Search
- State Sex Offender Registry Search
- County Civil Court Search
- Federal Civil Court Search
- Federal Criminal Search
- Statewide Criminal Search (where available)
- Terrorist List Search

If job seekers doubt the need for learning what might show up on a background check, a story from the Associated Press ,AP IMPACT: When your criminal past isn't yours, serves as an example of how an inaccurate backgorund checks can harm a job seeker. In the story, a clerical error led to a case of mistaken identity and landed an unemployed job seeker who had a clean criminal record on the streets when a background check for a job turned up a criminal record belonging to another woman. The AP story, an example of how some background checks may contain inaccurate and incomplete information, is available at: <http://news.yahoo.com/ap-impact-criminal-past-isnt-yours-182335856.html>.

However, job seekers will be glad to know that background checks are heavily regulated by the federal Fair Credit Reporting Act (FCRA) as well as many state laws. Job applicants know ahead of time a report is being run and must consent. In addition, employers have an absolute legal obligation to notify an applicant about the results of a report before taking adverse action and informing them of their rights. Once an applicant realizes that erroneous information may show-up, an applicant can certainly advise an employer ahead of time there may be a mistake in the public reports. In fact, background checks are often the first time an applicant finds out they are the victim of identity theft, or that old or inaccurate records are showing up under their name. Furthermore, an applicant has an absolute right to have any mistake re-investigated by a background screening firm, and if a background screening firm fails to do so within strict time periods, they face large potential liability. For resources for job applicants concerned about background checks, visit: <http://www.esrcheck.com/Applicant-Resources.php>.

In addition, job seekers should be warned that a "real" self background check does not consist solely of a cheap and instant online database search. A 2011 white paper examined the accuracy of background check mobile phone apps and instant background check web sites and found users of these fast, cheap, and easy to use services may not be provided with entirely accurate information. According to the report "Background Check Mobile Phone Apps and Instant Background Check Web Sites: Fast and Easy, But Are They Accurate?," apps and web sites that allow users to perform instant background checks by searching publicly available records and checking social networking sites such as Facebook, Twitter, and LinkedIn find information that is "viewed as a lead source for further review" by professional investigators or researchers but in the hands of the average person "can lead to hasty and dangerous conclusions." These dangers include:

- Reporting inaccurate information since these services typically return raw data not fully verified or confirmed with the original record source and can include results that lead to "false positives" , where an innocent person is found to have a record , and "false negatives" , where a person with a record comes back clean.
- Returning information for the wrong person with the same name , an issue often referred to as "common names" , since these services do not generally require identifiers such as dates of birth, they can return results that match the name entered but do not match that exact person.
- Creating a false sense of security when a "clear" background check result is naively interpreted as a promise that the person being searched has no criminal record.
- Privacy issues for the person being checked since the average person is not knowledgeable about the proper usage of public records and there are no privacy controls in place for the individual being searched.
- Reputational injuries to the individual being searched if the information is not correct. Misuse of information for employment or tenant purposes since even though some of these services say that the data should not be used for employment or tenant screening or any FCRA purpose, these warnings are often buried in fine print and there are even web sites that do not mention the FCRA.

The white paper also notes that unsuspecting users of less-than-reputable background check apps or Web sites may not understand that it is just not that easy to get a complete picture of an individual's background, particularly their criminal history. The white paper ,Background Check Mobile Phone Apps and Instant Background Check Web Sites: Fast and Easy, But Are They Accurate?, is available at<http://www.esrcheck.com/Download/>.

Besides "self" background checks, another way job seekers and consumers may verify their information is to view their credit reports, something they can do for free thanks to the Fair and Accurate Credit Transaction (FACT) Act of 2003. The FACT Act amended the FCRA, the U.S. federal law that regulates the collection, dissemination, and use of consumer information, including consumer credit information. The FACT Act provides the ability for consumers to obtain a free copy of their consumer file from certain consumer reporting agencies once during a 12 month period. Job seekers can visit AnnualCreditReport.com (<https://www.annualcreditreport.com/>) and request a free credit file disclosure ,

commonly called a "credit report" , once every 12 months from each of the nationwide consumer credit reporting companies: Equifax, Experian, and TransUnion. Free credit reports requested online are viewable immediately upon authentication of identity while credit reports requested by phone or mail are processed within 15 days of receiving the request.

There are literally millions of resumes on the Internet and they all have one thing in common , they all depend upon what people say about themselves. Yet employers know that up to 30% of resumes contain serious misrepresentations or omissions and some 70% of applications have no real relevance to the job. When job applicants run a "real" self background checks that means they have submitted their qualifications and information to a professional background screening firm for confirmation. As a result, employers know what they are getting job candidates that are for real, who value their credentials and references, and verified to be safe, honest, and qualified job applicants.