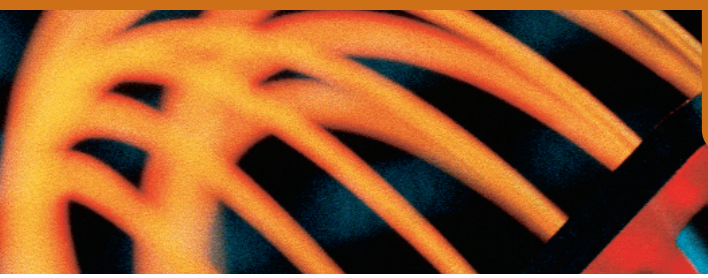
SHRM Research

2004 Reference and Background Checking

SURVEY REPORT

A Study by the Society for Human Resource Management



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2004 Reference and Background Checking Survey Report

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SHRM Research

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2004 Reference and Background Checking Survey Report

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About This Report

In August 2004, the Society for Human Resource Management (SHRM) conducted a survey on current practices in employee reference and background checking. The survey explored policies and practices human resource (HR) professionals follow both when conducting references and when providing references. Additionally, HR professionals were asked about legal issues related to reference checking, including defamation and negligence claims, and the impact of legislation designed to protect those providing references.

The following report provides an analysis of the survey results. Throughout this report, analyses by respondents' organization staff size[1] and whether any positions at the organization require a security clearance are presented and discussed, when applicable.[2] A copy of the survey instrument is included at the end of the report.

Conventional statistical methods were used to determine if observed differences were statistically significant (i.e., there is a small likelihood that the differences occurred by chance). Therefore, in most cases, only results that were significant are included, unless otherwise noted.

About SHRM

The Society for Human Resource Management is the world's largest association devoted to human resource management. Representing more than 190,000 individual members, the Society's mission is to serve the needs of HR professionals by providing the most essential and comprehensive resources available. As an influential voice, the Society's mission is also to advance the human resource profession to ensure that HR is recognized as an essential partner in developing and executing organizational strategy. Founded in 1948, SHRM currently has more than 500 affiliated chapters and members in more than 100 countries. Visit SHRM Online at www.shrm.org.

About the Author

Mary Elizabeth Burke is a survey analyst for SHRM. Her responsibilities include designing, conducting and analyzing surveys on HR-related topics and assisting in larger research projects. She has a bachelor's degree in mathematics from Duke University and three years of survey and market research experience.

[1] Organizations are grouped into three categories based on the number of employees at the HR professional's business location: small (1-99 employees), medium (100-499 employees) and large (500 and more employees).

[2] Although respondents also identified their organization's primary industry, there were not enough responses to yield conclusive results and analysis by industry.

Introduction

Hiring a new employee is a huge undertaking of both time and money, and the responsibility for finding the best person for the job lies, in part, with an organization's HR professionals. Resumes and interviews are obviously invaluable in the hiring process, but to get the complete picture of a candidate, it is necessary to broaden the sources of information to include processes such as interviews with former employers, verification of education, certifications and information from criminal and driving records. What information is collected will depend on the nature of the job, but reference and background checking and verification are a vital part of the hiring process.

Even seemingly objective information such as degree verification and criminal background checks can be cumbersome to obtain. There is no central database against which information provided by an applicant can simply be checked. But the consequences of not getting this information can be severe. In the past few years, a number of organizations have been embarrassed to discover that an individual they hired to a high-profile position had actually misrepresented credentials as basic as a college degree. In December 2001, for example, newly-hired Notre Dame football coach George O'Leary resigned after only five days when it was discovered that he had lied for years about lettering in college football and obtaining a master's degree from New York University. Sandra Baldwin, President of the United States Olympic Committee, stepped down in 2002 over educational inaccuracies on her resume.

The fundamental paradox in obtaining references from previous employers is that while organizations hiring new workers want the most complete information available, employers are often reluctant to provide information on current or former employees for fear of legal liability. There have been cases where individuals who did not get a job for which they believed themselves to be qualified have sued their former employers for providing bad references. Organizations that exist exclusively to place reference check calls and find out what former employers are saying about job seekers have sprung up in recent years, also sometimes leading to lawsuits. The outcome of these legal actions, even if they never make it to court, can be costly both monetarily and to the reputation of an employer.

Some organizations are attempting to defend themselves from legal liability by not giving references at all or by only providing objective information such as dates of employment. These policies mean less data is available for hiring organizations to base their decisions on and can be detrimental to good employees who otherwise would have received a

glowing recommendation. Additionally, such policies have faced a legal backlash of their own in situations where an employer that had reason to believe a former employee was dangerous failed to provide this information in a reference check, resulting in the individual being hired and later committing a crime or harming others at the new organization.

HR professionals should be encouraging a good flow of meaningful information on job seekers that is relatively easy to access. This ideal would allow employers to get meaningful information and references to make the best hiring decisions possible.

Methodology

The SHRM Survey Program developed the survey instrument. An internal committee of SHRM staff with HR expertise also provided valuable insight and recommendations for the instrument.

A sample of 2,500 HR professionals was randomly selected from SHRM's membership database, which consisted of more than 185,000 members at the time. Only members who had not participated in an SHRM survey or poll in the last six months were included in the sampling frame. Members who are students, consultants, academics, located internationally or have no e-mail address on file were also excluded from the sampling frame. Each member of the sample was sent an e-mail invitation containing a link that directed the participant to the online survey. In the end, 1,926 e-mails were successfully delivered, and 345 HR professionals responded, yielding a response rate of 18% (the number of respondents to each question is indicated by "n" in tables and figures). The survey was fielded for a period of three weeks, and three e-mail reminders were sent to sample members in an effort to increase the response rate.

Respondents were told at the beginning of the survey that the term "reference check" should be considered to refer to any verification of information provided by a job applicant (e.g., employment history), documentation regarding the job applicant (e.g., credit report or driving record) or communication with people regarding the job applicant (e.g., former supervisor or coworker).

Key Findings

In spite of the importance of reference checking to a complete and thorough hiring process, only 96% of HR professionals said that they always conduct reference checks, even on candidates for executive and upper management positions. Additionally, a small number of respondents indicated that their organization does not conduct any form of background or reference checking, including verification of information provided by the applicant, communication with others regarding the applicant and/or documentation regarding a job applicant.

Just over half of organizations that conduct reference checks outsource some or all of their background and reference checking and verification.

Few HR professionals report always finding inconsistencies in any area; however, more than half say they sometimes find inconsistencies in a number of types of information, such as criminal record check and dates of previous employment.

More than half of respondents indicated that the HR staff at their organization is primarily responsible for conducting reference checks, and more than eight out of 10 said the HR staff is primarily responsible for providing reference check information. HR professionals indicated that reference checks are primarily conducted by telephone, though organizations where some positions may require a security clearance are somewhat more likely to conduct checks by mail or in person.

More than two-thirds of HR professionals indicated that they are always able to obtain information on dates of employment, but less than one-quarter said they are always able to get adequate information in other areas.

Most respondents believe reference checking is very or somewhat effective in identifying potentially poor performing employees, though just over a quarter believe it is not very effective, and a small number believe it is not at all effective.

Just over one-fifth of HR professionals indicated that their organization has implemented new or different reference or background checking policies or procedures as a direct result of the September 11, 2001, terrorist attacks. Organizations where some positions may require security clearance are more than twice as likely as other organizations to have implemented new measures.

More than half of respondents indicated that their organization has a policy not to provide any references or information about current or former employees. Additionally, more than half of respondents reported that they are aware of someone in their organization refusing to provide information for fear of legal action, though few said their organization had actually faced various legal issues regarding reference and background checking in the last three years. Three-quarters of HR professionals believe laws shielding those who provide references in good faith from legal liability would lead to their organization sharing more information about current and former employees.

Survey Results

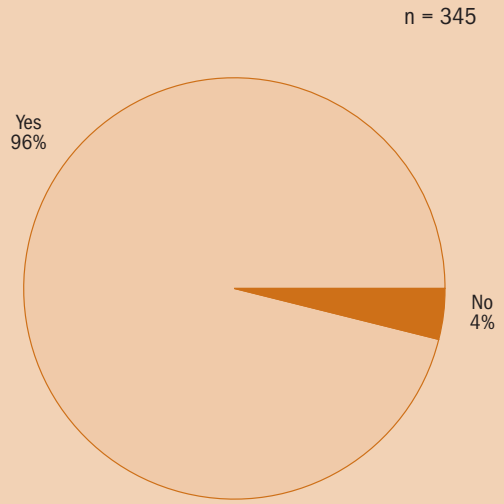
Conducting Reference Checks

As seen in Figure 1, 96% of HR professionals indicated that their organization conducts some form of background or reference check on job applicants. This includes verification of information provided by a job applicant (e.g., employment history), documentation regarding a job applicant (e.g., credit report or driving record) and/or communication with people regarding the job applicant (e.g., a former supervisor or coworker). This also includes both checks conducted by the organization itself as well as checks conducted by a third-party agency hired by the organization.

HR professionals from large organizations (staff size of 500 or more) are more likely than those from small organizations (staff size of under 100) to indicate that they conduct some form of background or reference check (99% for large organizations compared with 92% for small organizations, see Table 1), though within each organization staff size grouping, more than nine out of 10 respondents indicated that they do check references. It may be that large organizations simply have more resources available to conduct the checks.

HR professionals who later reported that their organization has a policy not to provide any employee references were slightly less likely to conduct background or reference checks (see Table 2), though 93% of respondents whose organization has a policy not to provide references nevertheless conduct some

Figure 1 Organization Conducts Background or Reference Checks



Source: 2004 Reference and Background Checking Survey Report

Table 1 Percentage of Organizations That Conduct Background or Reference Checks (By Organization Staff Size)

Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
96%	92%	96%	99%	Large > Small

Note: Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

form of background or reference checking (for more information on organizations' policies on providing references, see "Providing References," page 16).

Table 3 shows the percentage of HR professionals, among those who conduct some form of reference checking, who indicated that their organization has certain policies or procedures in place for conducting reference checks on job applicants. Tables 4 and 5 show specific policies where there was a significant difference across organizational staff size (Table 4) or the presence of positions that require a security clearance (Table 5).

Table 2 Requesting Versus Providing Reference Information

		Does organization have a policy not to provide any employee references?	
		Yes (n = 180)	No (n = 155)
Does organization conduct background and reference checking on job applicants?	Yes	93%	99%
	No	7%	1%

Note: Sample sizes and percentages shown are based on the number of respondents who answered both questions using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Basic Precautions

There are several very basic actions an organization can take to discourage applicants from providing false or misleading information. A simple but prominent notification to job candidates that any false information provided in the application process is grounds for dismissal if hired can act as a deterrent to providing inaccurate information, and 92% of HR professionals indicated that their organization provides such a notification. Organizations with 100 or more employees are more likely than those with fewer than 100 employees to provide this type of notification (96% for medium-sized organizations and 94% for large-sized organizations compared with 82% for small-sized organizations, see Table 4). Additionally, 89% of HR professionals indicated that they require candidates to sign and date an employ-

Table 3 Use of Reference Checking Policies and Procedures

	n	Percentage of Respondents
A notification to candidates that any false information provided in the application process is grounds for dismissal if hired	323	92%
A requirement that candidates must sign and date an employment application before being considered for a position	325	89%
Standardized questions for the person conducting the reference check	306	81%
A requirement that all attempts to verify references be documented, no matter what the outcome	317	73%
A policy that no references are obtained without signed consent from the candidate	318	72%
A requirement that a reference be obtained from at least one past employer/supervisor of the job applicant	313	66%
Training those responsible for checking references to look out for "red flags"	311	52%
A policy that no candidate is offered a position until a suitable number of references have been conducted	315	48%
Training those responsible for checking references to be more effective	302	44%
A written policy for employees to follow regarding conducting reference checks	310	38%
A requirement that a reference be obtained from the job applicant's current employer/supervisor	305	19%

Note: Includes only respondents who indicated that they conduct some form of reference checking.

Source: 2004 Reference and Background Checking Survey Report

Table 4 Use of Reference Checking Policies and Procedures (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
A notification to candidates that any false information provided in the application process is grounds for dismissal if hired	92%	82%	96%	94%	Medium, large > small
A requirement that candidates must sign and date an employment application before being considered for a position	89%	80%	96%	85%	Medium > small, large

Note: Includes only respondents who indicated that they conduct some form of reference checking. Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 5 Use of Reference Checking Policies and Procedures (By Whether Any Position May Require a Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
Standardized questions for the person conducting the reference check	81%	93%	79%
Training those responsible for checking references to look out for "red flags"	52%	67%	49%
A policy that no candidate is offered a position until a suitable number of references have been conducted	48%	61%	45%

Note: Includes only respondents who indicated that they conduct some form of reference checking. Sample sizes are based on the number of respondents providing security clearance information; however, the percentages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

ment application, which can reinforce the official nature of the application to the candidate and thereby encourage accuracy. Organizations with a medium staff size are more likely than large or small organizations to have this requirement (96% for medium compared with 85% for large and 80% for small, see Table 4). Such simple reminders in the application process cost hiring organizations minimal time or money, but may help increase the veracity of the information obtained.

Two-thirds of HR professionals (66%) indicated that their organization requires that a reference be obtained from at least one past employer or supervisor of a job applicant. Nineteen percent of respondents said they specifically require a reference from the applicant's current employer or supervisor. References from a current job may be harder to obtain for applicants who do not want their employer to know they are job searching, which may be part of the reason so many more respondents indicated that their organization accepts the reference from any past employer. Other organizations will make a conditional offer pending a satisfactory reference from the current employer.

Almost half of HR professionals (48%) indicated that their organization has a policy that no candidate is offered a position until a suitable number of references have been conducted. Organizations that require some or all employees to have a security clearance are more likely to have this type of policy than organizations where no positions require a security clearance (61% compared with 45%, see Table 5). Such policies help provide standard treatment to all applicants, as well as prevent the organization from facing a situation where an employee is hired before a subsequent reference check turns up questionable information.

Legal Precautions

Other reference checking policies can help an organization defend against certain worrisome potential legal actions. Eighty-one percent of respondents have standardized questions to be asked by the person conducting a reference check. Such questions help to ensure that similar information is gathered on each candidate and that sensitive subjects that could lead to discrimination claims, such as race and marital status, are avoided. Organizations where a security clearance may be required are more likely to have standardized questions than those where no positions require a security clearance (93% compared with 79%, see Table 5). Written policies regarding conducting reference checks can provide similar protections, but only 38% of HR professionals indicated that their organization has such policies.

Almost three-quarters of HR professionals (73%) indicated that their organization requires all reference check attempts, no matter what the outcome, to be documented. In addition to providing a defense against discrimination claims, this documentation could also potentially help rebut a negligent hiring claim by proving that the employer put forth an effort to get complete background information on an employee before hiring.

Seventy-two percent of respondents indicated that their organization has a policy wherein no references are obtained without the signed consent of the candidate. This type of notification can help deter fraud before it occurs, defend organizations when they do not hire an applicant due to a negative reference and also encourage reluctant reference providers to give more information.

Training

Just over half of HR professionals (52%) indicated that their organization provides training for those conducting references to learn to look for “red flags” in the process. Organizations where a security clearance is required for some positions are more likely than others to offer such training (67% compared with 49%, see Table 5). Forty-four percent of all HR professionals said that they train reference checkers to be more productive. Training can be particularly helpful for the person conducting the reference check who is not an HR employee and therefore may not be aware of which questions to ask and which to avoid. Training also provides an opportunity for the organization to communicate any specific policies and procedures it may have in place to the people who will be responsible for carrying them out. Finally, training can help teach reference checkers how to get more complete information from individuals who may at first be hesitant to cooperate for fear of legal action, thereby making the information obtained much more useful.

Frequency of Reference Checks by Type of Position

Among respondents who conduct reference checks, the majority said they always conduct the checks, though there is some variation by the type of position (see Figure 2). More than four out of five HR professionals indicated that their organization always checks references for executive/upper management (86%), other management (89%) and non-

management salaried (83%) positions. Only 75% indicated that they always check references for non-management hourly positions. This discrepancy may come from a variety of reasons, such as the potential for higher turnover and less access to sensitive information than employees in other types of positions.

A small percentage of respondents indicated that their organization rarely or never checks references, even for positions such as executive/upper management (5%) and other management (3%). Despite their small magnitude, these numbers are worrisome, since they leave these organizations susceptible at very high levels. HR plays a crucial role in ensuring that organizations conduct adequate reference checking on new hires, thereby preventing the possibility of later scandal or public embarrassment.

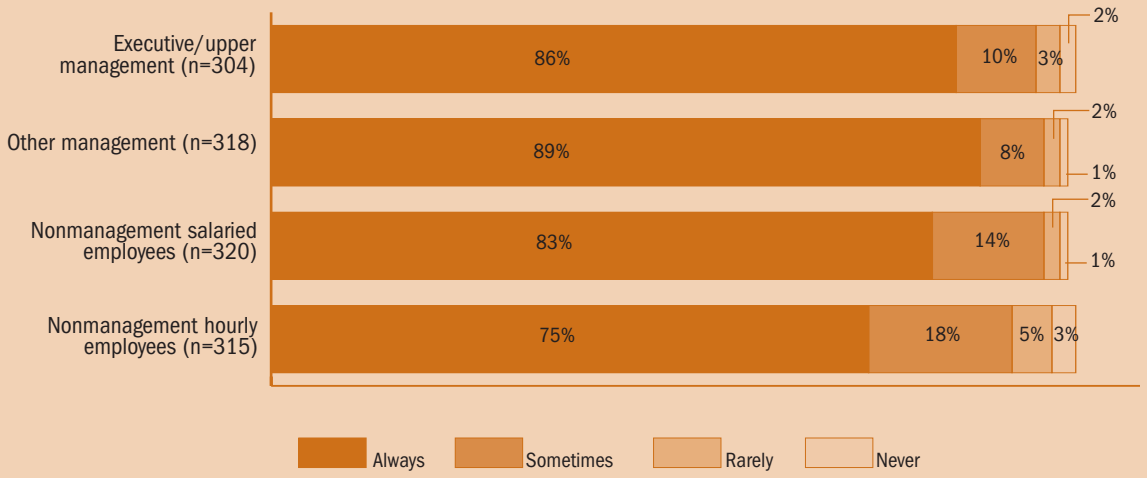
Outsourcing

Figure 3 shows that just over half of organizations (52%) that conduct reference checks outsource some or all of their background and reference checking and verification. Organizations with 500 or more employees are more likely than smaller organizations to outsource some or all of their reference checking (64% for large organizations compared with 43% for small and 49% for medium organizations, see Table 6). This difference may come from the fact that large organizations are more likely to experience economies of scale from outsourcing than are organizations with smaller staff sizes and fewer positions being filled.

Information Checked

Table 7 shows how frequently organizations check different kinds of information about job candidates,

Figure 2 Frequency of Reference Checking by Position



Note: Includes only respondents who indicated that they conduct some form of reference checking. Percentages may not total 100% due to rounding.

Source: 2004 Reference and Background Checking Survey Report

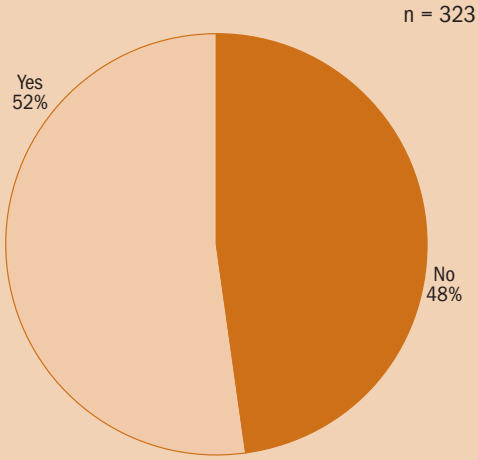
according to HR professionals. Table 8 illustrates how often HR professionals reported finding inconsistencies in each of these areas when conducting background checks.

Not surprisingly, eligibility to work in the United States is the most common item verified by potential employers, though only 85% of HR professionals indicated that they always verify this information. According to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA), organizations that hire workers who are not eligible to work in the United States could be subject to costly and embarrassing penalties and fines from the Immigration and Naturalization Service (INS). Among respondents who check eligibility to work in the United States, 20% report always or sometimes finding inconsistencies, indicating organizations that do not verify this information may be inviting trouble.

Sixty-eight percent of respondents indicated that they always perform a criminal background check on job applicants. Criminal background checks can uncover useful information such as a propensity for violence, but they must be used with care to prevent accusations of adverse action against a protected class. Generally speaking, organizations cannot automatically deny employment to someone just because the individual has a criminal record. Instead, the employer must consider the nature and other specifics of the offense as well as its relevance to the job in question. Additionally, the United States has no central source of information on criminal records, which makes conducting a comprehensive criminal background check difficult. Because of legal and ethical concerns, it is wise to consult legal counsel when considering criminal background checks. With proper guidance, however, criminal record checks may be very worthwhile, as more than half of respondents (54%) who conduct criminal background checks indicate that they always or sometimes find inconsistencies between the record and what the applicant reported.

There are a number of different types of information that can be obtained from an applicant's current or previous employers. The most commonly sought types of information tend to be relatively objective—two-thirds (66%) of respondents indicated that their organization always verifies former employers and dates of previous employment, and over half (53%) indicated that they always verify former job titles. Fewer HR professionals indicated that their organization always checks former job responsibilities (37%)

Figure 3 Organizations That Outsource Any Reference Checking or Verification



Note: Includes only respondents who indicated that they conduct some form of reference checking.

Source: 2004 Reference and Background Checking Survey Report

Table 6 Organizations That Outsource Any Reference Checking or Verification (By Organization Staff Size)

Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
52%	43%	49%	64%	Large > small, medium

Note: Includes only respondents who indicated that they conduct some form of reference checking. Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 7 Types of Information Checked

	n	Always	Sometimes	Rarely	Never
Verification of eligibility to work in the United States	321	85%	3%	3%	9%
Criminal record check	318	68%	13%	6%	13%
Verification of former employers	316	66%	31%	1%	2%
Verification of dates of previous employment	323	66%	28%	4%	2%
Verification of former job titles	313	53%	34%	10%	4%
Verification of certifications, licenses, etc.	312	41%	34%	15%	9%
Verification of former job responsibilities	309	37%	45%	12%	6%
Verification of degree(s) conferred	314	35%	31%	19%	15%
Verification of schools, colleges and/or universities attended	313	34%	31%	18%	17%
Driving record check	311	30%	41%	12%	18%
Check for malpractice or professional disciplinary action	277	22%	20%	26%	33%
Verification of past salaries	308	19%	38%	27%	17%
Credit check	296	19%	24%	18%	39%
Verification of articles published, speaking engagements, etc.	268	2%	10%	30%	58%

Percentages are row percentages and may not total 100% due to rounding.

Note: Types of information are listed in descending order by percentage of "Always" responses. Includes only respondents who indicated that they conduct some form of reference checking.

Source: 2004 Reference and Background Checking Survey Report

Table 8 Inconsistencies Found in Reference Checking

	n	Always	Sometimes	Rarely	Never
Criminal record check	275	6%	48%	32%	14%
Driving record check	256	4%	42%	39%	15%
Certifications, licenses, etc.	253	4%	20%	57%	19%
Dates of previous employment	307	3%	55%	37%	6%
Former job responsibilities	279	3%	41%	48%	8%
Credit check	184	3%	35%	42%	20%
Eligibility to work in the United States	293	3%	17%	40%	40%
Former job titles	291	2%	47%	44%	6%
Past salaries	238	2%	43%	48%	7%
Former employers	308	2%	32%	53%	13%
Articles published, speaking engagements, etc.	110	2%	6%	56%	36%
Degree(s) conferred	245	1%	31%	50%	18%
Schools, colleges and/or universities attended	240	1%	30%	51%	18%
Malpractice or professional disciplinary action	165	1%	15%	54%	30%

Percentages are row percentages and may not total 100% due to rounding.

Note: Inconsistencies are listed in descending order by percentage of "Always" responses. Includes only respondents who indicated that they check that specific item.

Source: 2004 Reference and Background Checking Survey Report

or past salaries (19%). No more than 3% of respondents who check these pieces of information indicated that they always find inconsistencies, but up to 55% (for dates of previous employment) indicate that they sometimes do. Any information an applicant provides about a current or former job that weighs significantly into the hiring decision should therefore be verified to ensure its accuracy.

Education and Certification

Thirty-five percent of HR professionals indicated that they always verify a candidate's degree(s), while 34% indicated that they always verify schools, colleges and/or universities attended. Again, very few respondents (1%) indicate that they always find inconsistencies in these areas, but since this type of verification is relatively simple, it is often worthwhile to do.

Additionally, 41% of respondents always verify an applicant's credentials (e.g., certifications, licenses, etc.). This is especially important in areas such as law and medicine, where an individual must fulfill additional requirements such as the bar or boards on top of completing a degree before being allowed to practice.

Position-Specific Information

Some types of information may only be relevant for certain jobs or professions. For example, 30% of respondents indicated that they always check driving records. While this information may be critical for a position as a truck driver, traveling salesperson or home health nurse, it is less relevant for a person applying for an office job.

Similarly, 19% of HR professionals indicated that their organization always conducts credit checks on job applicants.

Twenty-two percent of HR professionals indicated that they always check for malpractice or professional disciplinary action. This information may only be relevant, or indeed even available, for individuals in certain professions such as health care.

Only 2% of respondents indicated that they always verify the articles published, speaking engagements and other similar accomplishments by applicants. This percentage is small because these types of achievements only apply to a small number of professions.

Differences in Information Checked

As mentioned earlier, some pieces of information are more relevant or available to certain types of jobs. Table 9 shows differences by organization staff size in the types of information checked; and Table 10 shows differences by whether the organization requires a security clearance for any positions.

Inconsistencies

Only a few HR respondents who conduct reference checks report always finding inconsistencies in any given area; however, more than half say they do find inconsistencies in a number of information categories either sometimes or always. These numbers do not account for the severity of the discrepancy, but are nevertheless eye-opening and should be kept in mind by organizations when deciding whether to verify applicant information.

There were a few differences in the frequency of finding inconsistencies by organization staff size (Table 11) and by whether a security clearance is required for any positions at the organization (Table 12).

Logistics of Conducting Reference Checks

As seen in Figure 4, more than half of respondents (61%) indicated that it is the HR staff at their organization that is primarily responsible for conducting reference checks on job candidates. Another 17% each indicated that it is the hiring supervisor or an outside agency that primarily conducts the checks. HR professionals bring consistency and expertise to the reference checking process, though hiring managers have the advantage of knowing more precisely what strengths and skills are necessary to fulfill the job requirements.

Table 9 Types of Information Checked (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Criminal record check	3.36	2.92	3.36	3.71	Large > small, medium Medium > small
Verification of certifications, licenses, etc.	3.07	2.83	3.03	3.31	Large > small
Verification of degree(s) conferred	2.85	2.55	2.82	3.14	Large > small
Verification of school, colleges and/or universities attended	2.81	2.59	2.71	3.13	Large > small, medium
Check for malpractice or professional disciplinary action	2.30	1.96	2.30	2.63	Large > small

Note: Includes only respondents who indicated that they conduct some form of reference checking. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 10 Types of Information Checked (By Whether Any Position May Require a Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
Verification of eligibility to work in the United States	3.65	3.86	3.60
Verification of certifications, licenses, etc.	3.07	3.31	3.02
Verification of degree(s) conferred	2.85	3.35	2.73
Verification of schools, colleges and/or universities attended	2.81	3.33	2.69
Verification of articles published, speaking engagements, etc.	1.55	1.79	1.48

Note: Includes only respondents who indicated that they conduct some form of reference checking. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing security clearance information; however, the averages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 11 Inconsistencies Found in Reference Checking (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Criminal record	2.46	2.05	2.52	2.63	Medium, large > small
Certifications, licenses, etc.	2.08	1.95	1.95	2.33	Large > small, medium
Dates of previous employment	2.55	2.29	2.61	2.67	Medium, large > small
Eligibility to work in the United States	1.83	1.58	1.77	2.13	Large > small, medium
Former job titles	2.46	2.31	2.47	2.57	Large > small
Former employers	2.23	2.07	2.18	2.43	Large > small, medium
Articles published, speaking engagements, etc.	1.75	1.52	1.60	2.05	Large > small, medium
Degrees conferred	2.15	1.98	2.07	2.35	Large > small, medium
Schools, colleges and/or universities attended	2.13	1.88	2.08	2.36	Large > small, medium
Malpractice or professional disciplinary action	1.87	1.53	1.79	2.13	Large > small, medium

Note: Includes only respondents who indicated that they check that specific item. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 12 Inconsistencies Found in Reference Checking (By Whether Any Position May Require a Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
Malpractice or professional disciplinary action	1.87	2.14	1.79

Note: Includes only respondents who indicated that they check that specific item. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing security clearance information; however, the averages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

The majority of reference checking is conducted by phone (see Table 13). Tables 14 and 15 show significant differences in the frequency each method is used by organization staff size (Table 14) and by whether a security clearance is required for any position at the organization (Table 15).

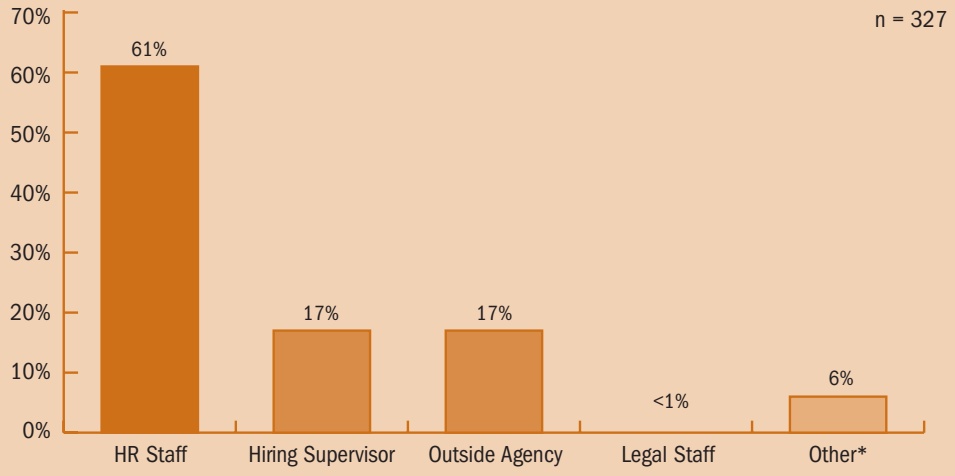
Each method of reference checking has pros and cons. Telephone checks are relatively fast and inexpensive. They are also interactive, allowing the person conducting the check to ask follow-up questions as necessary. This combination of advantages probably contributes to the telephone being the most commonly used method of reference checking, with 60% of respondents indicating that they always use this method.

Fax and Internet are also fast and convenient, though not interactive, and these methods are used either always or sometimes by more than one-third of respondents (36% for Internet and 53% for fax). References provided by mail have the advantage of serving as a permanent written record for the hiring organization, but take considerably more time to conduct. Five percent of HR professionals report that they always conduct reference checks by mail, and almost half (47%) report that they sometimes do.

While e-mail is fast, cost-effective and generates a written reference, only 3% of respondents always use e-mail for reference checking. Over one-third (36%) say they sometimes use it. This may be because e-mail is still a relatively new technology compared with other reference checking methods, or it may be that e-mail is seen as a less desirable way to check references because of its informality.

Finally, face-to-face or in-person interviews are rare; only 9% of HR professionals indicate that they always or sometimes conduct reference checks in person. Face-to-face interviews are more costly and time-consuming. However, they do have the advantage of interactivity and allow both the interviewer and interviewee to confirm each other's identity, which may encourage more information sharing. In certain situations, the additional time and costs

Figure 4 Responsibility for Conducting Reference Checks



** Includes responses such as corporate, internal affairs and owner.*

Note: Includes only respondents who indicated that they conduct some form of reference checking. Percentages may not total 100% due to rounding.

Source: 2004 Reference and Background Checking Survey Report

Table 13 How Reference Checks Are Conducted

	n	Always	Sometimes	Rarely	Never
Telephone	313	60%	38%	1%	1%
Internet	280	8%	28%	22%	43%
Fax	291	6%	47%	23%	24%
Mail	289	5%	47%	24%	24%
E-mail	279	3%	36%	29%	32%
Face-to-face/in-person	274	1%	8%	42%	50%

Percentages are row percentages and may not total 100% due to rounding. Includes only respondents who indicated that they conduct some form of reference checking.

Source: 2004 Reference and Background Checking Survey Report

Table 14 How Reference Checks Are Conducted (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Telephone	3.58	3.64	3.65	3.44	Small, medium > large
Internet	2.00	1.74	2.01	2.20	Large > small
Fax	2.35	2.07	2.32	2.61	Large > small
Mail	2.34	2.11	2.27	2.62	Large > small, medium

Includes only respondents who indicated that they conduct some form of reference checking. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 15 How Reference Checks Are Conducted (By Whether Any Position May Require a Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
Mail	2.34	2.75	2.23
Face-to-face/in-person	1.59	1.92	1.50

Note: Includes only respondents who indicated that they conduct some form of reference checking. Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing security clearance information; however, the averages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

may be worthwhile. Additionally, because this type of interview is so rare, the fact that an organization is taking the time to conduct a face-to-face reference check may confer a greater degree of significance on the interview in the eye of the person providing the reference.

When deciding which reference checking method to use, recruiters should consider the type of information to be gathered, the time frame for getting it and budgetary considerations. Often the preferred method will vary even within an organization depending upon the position being filled.

The fundamental paradox in reference checking today is that while organizations hiring new workers want the most complete information available, employers are often reluctant to provide information on current or former employees for fear of legal liability (see "Providing References" on page 16 and "Legal Issues" on page 22). Table 16 shows how often HR professionals seeking specific information about job applicants are able to obtain adequate information to help them make a hiring decision. Table 17 shows differences by organization staff size.

Many organizations have adopted a bare-bones approach to providing references. These policies often dictate that the only information to be provided to reference checkers is whether or not an individual ever worked for the organization and the dates of employment. The popularity of these policies is reflected in Table 16, which shows that 68% of HR professionals report being able to always get information about dates of employment, far more than for any other type of employee information.

Some organizations have begun to ask whether an employee is eligible for rehire as part of the reference checking process. Almost one-quarter (23%) of HR professionals who ask this question said that they always get an adequate answer, and 60% said they sometimes do. The logic behind this question is that while it does not ask for specific information that the person answering may not be allowed to give, the response can be useful in weeding out extreme cases of poor performance or unacceptable behavior. Even if the person providing the reference does not provide details, knowing an applicant is not eligible for rehire at a former place of employment should raise a "red flag" for the person seeking the reference.

Fewer than 20% of respondents indicated that they always get adequate information from a reference check in any other area. These areas of information include relatively subjective ones such as interpersonal skills, work ethic and personality traits, but also concrete facts such as salary history. Perhaps most disturbingly, only 6% of HR professionals who ask about violent or bizarre behavior said that they always get an adequate response.

Effectiveness of Reference Checking

Most respondents believe reference checking is very (18%) or somewhat (55%) effective in identifying potentially poor performing employees, though just over a quarter (26%) indicate it is not very effective, and 2% report it is not at all effective (see Figure 5). The effectiveness of reference checking comes from gaining the perspective of individuals who have actually had day-to-day experience working with a job applicant, and such information cannot be replicated in an interview process. Reference checking can be less effective when the person providing the reference refuses to offer details, is not in a position to rate the job applicant's work or has an ulterior motive for providing a falsely favorable or unfavorable references (such as getting rid of a bad worker or a personal dislike of the individual in question). Reference checks also become less effective when the individual being questioned cannot provide reference information due to organizational policy; this is another reason to work toward reducing the need for such policies.

Table 16 Getting Adequate Information

	n	Always	Sometimes	Rarely	Never
Dates of employment	315	68%	30%	2%	<1%
Eligibility for rehire	309	23%	60%	13%	4%
Job performance	306	19%	51%	26%	5%
Overall impression of employability	308	19%	51%	25%	5%
Interpersonal skills	305	17%	47%	30%	6%
Qualification for a particular job	307	16%	54%	25%	5%
Work ethic (tardiness, etc.)	304	14%	54%	26%	7%
Salary history	270	13%	48%	32%	7%
Reason candidate left previous employer	312	12%	55%	26%	7%
Personality traits	296	9%	45%	37%	10%
Malpractice, professional disciplinary action, etc.	184	9%	26%	46%	19%
Violent or bizarre behavior	283	6%	25%	47%	22%

Note: Percentages are row percentages and may not total 100% due to rounding. Includes only respondents who indicated that they check that specific item.

Source: 2004 Reference and Background Checking Survey Report

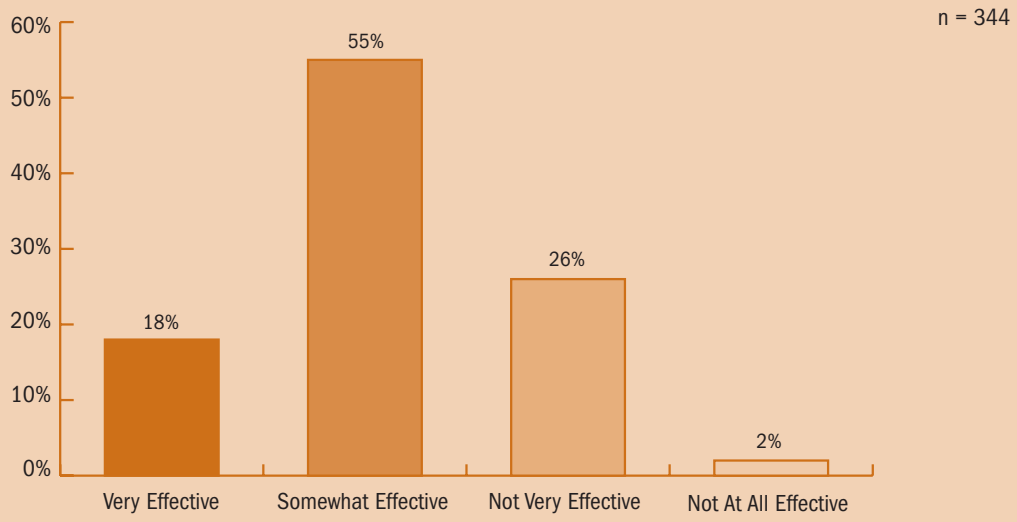
Table 17 Getting Adequate Information (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Interpersonal skills	2.74	2.94	2.72	2.61	Small > large
Qualification for a particular job	2.80	3.03	2.71	2.77	Small > medium

Note: Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing security clearance information; however, the averages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided. Includes only respondents who indicated that they check that specific item.

Source: 2004 Reference and Background Checking Survey Report

Figure 5 Effectiveness of Reference Checking in Identifying Poor Performers



Note: Percentages may not total 100% due to rounding

Source: 2004 Reference and Background Checking Survey Report

Time Spent Checking References

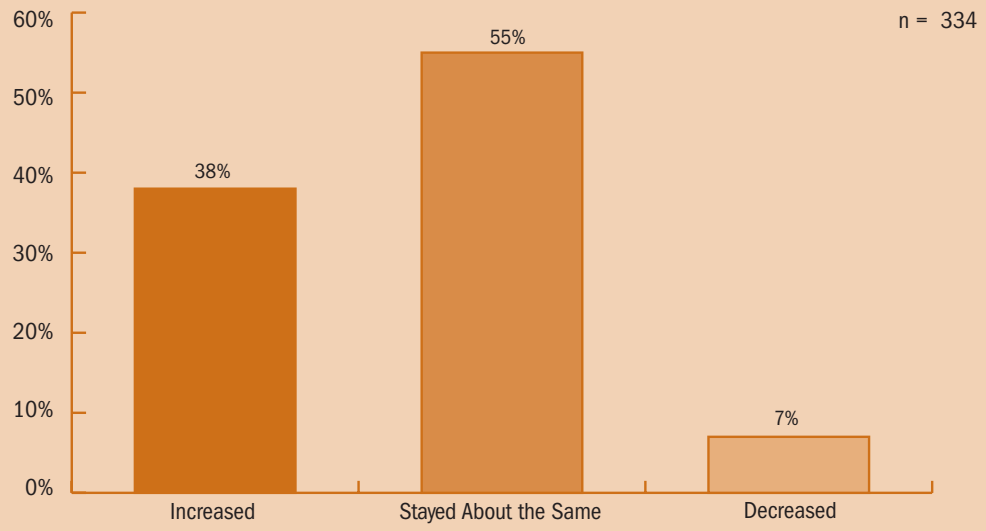
Most HR professionals (55%) indicated that the amount of time they spend on reference checking has stayed about the same over the past three years, though 38% indicated that the amount of time has increased (see Figure 6). Heightened security nationwide following the September 11, 2001, terrorist attacks may account for part of the increase where it exists. Just over one-fifth of respondents (21%) indicated that their organization has implemented new or different reference or background checking policies or procedures as a direct result of the September 11 attacks (see Figure 7).

HR professionals who indicated that their organization has changed its reference checking policy as a result of September 11 mostly said that they are now more consistent in conducting checks and more diligent in collecting information. Many also indicated that they have added or increased criminal checks as a result of the terrorist attacks. A number of respondents also mentioned conducting OFAC (Office of Foreign Assets Control) checks, verifying that applicants do not appear in the Department of Treasury database of "blocked persons" related to the Patriot Act.

Organizations that have not changed their reference checking policies as a direct result of September 11 overwhelmingly report that this is because they feel the reference checking policies already in place were adequate. Others indicated that they do not feel September 11 elevated the need for background checking for their particular situation.

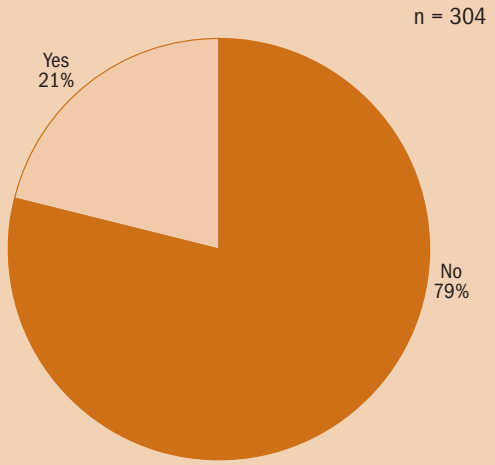
Figure 8 shows that organizations where some positions may require security clearance are much more likely to have implemented new or different reference checking policies as a direct result of the September 11 attacks (40% compared with 17%). This is not surprising, as organizations that may require a security clearance may be more likely to take a proactive role in checking information on employees.

Figure 6 Change in the Amount of Time Spent on Reference Checking Over Last Three Years



Source: 2004 Reference and Background Checking Survey Report

Figure 7 Changes in Reference Checking Policy as a Direct Result of September 11 Attacks



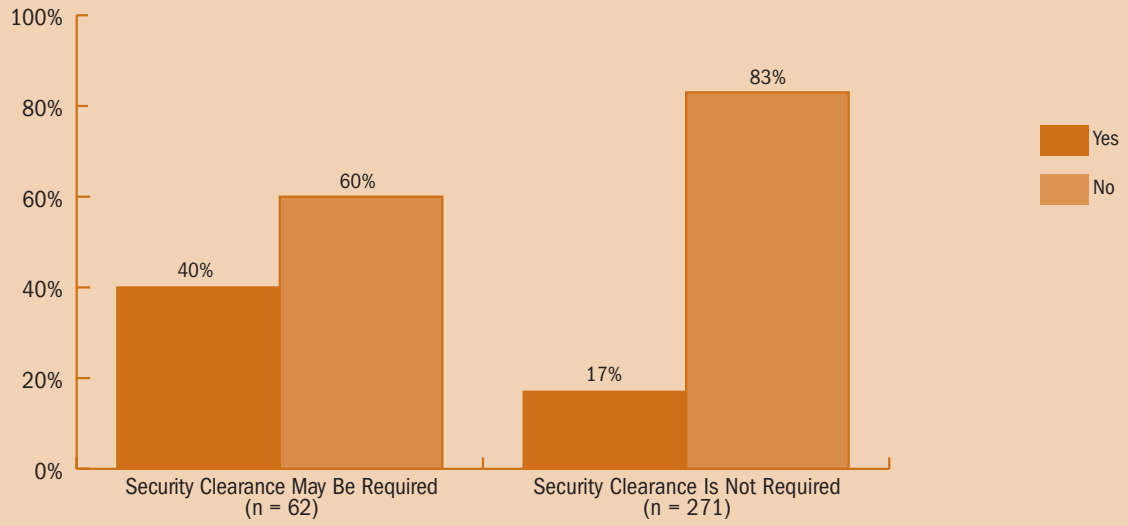
Source: 2004 Reference and Background Checking Survey Report

Providing References

Although references are a valuable tool in the hiring process, companies are often unwilling to provide useful information for fear of legal liability or for other reasons. Fifty-four percent of respondents indicated that their organization has a policy not to provide any references or information about current or former employees (see Figure 9).

Table 18 shows policies and procedures in place regarding providing information on current or former employees. One-quarter of HR professionals (25%) indicated that their organization has a policy not to provide any information beyond employment verification. This lack of informational flow inhibits employers conducting reference checks and can be detrimental to applicants who would otherwise receive a favorable review.

Figure 8 Changes in Reference Checking Policy as a Direct Result of September 11 Attacks (By Whether Any Position May Require a Security Clearance)



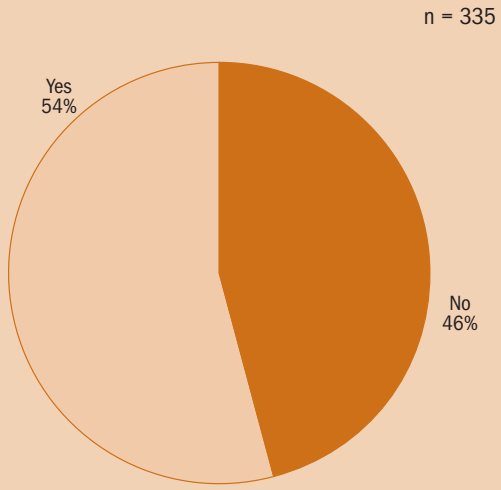
Note: Sample sizes are based on the number of respondents providing security clearance information; however, the percentages shown are based on the actual number of respondents by clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Approximately one-third (32%) of HR professionals indicated that their organization has a policy that only HR staff may give potential employers information about current or former employees. HR staff is trained to answer questions consistently and avoid legal pitfalls. However, most individuals provide the name of a supervisor or coworker, not HR staff, as a reference. It is then up to the employee who receives the call to either provide the reference or pass the request to HR. Conversely, HR professionals rarely work closely enough with the individual to give any information beyond basics such as dates of employment and salary.

While 22% of HR professionals indicated that their organization requires a reference authorization form before they will provide any information on current or former employees, only 7% said they obtain this release from employees as they leave the organiza-

Figure 9 Policy Not to Provide Employee References



Source: 2004 Reference and Background Checking Survey Report

tion. Organizations with a small staff (1-99 employees) are more likely than those with 500 or more employees to obtain such a release (13% for small organizations compared with 3% for large organizations, see Table 19). Similarly, only one out of 10 respondents said that their organization reviews its reference policies with employees when the employees leave the organization. Six percent of HR professionals reported that their organization provides a generic reference letter as part of an employee severance package; organizations with fewer than 100 employees were more likely than those with 100-499 employees to provide this type of letter (11% and 3% respectively).

Who Provides References

As with conducting reference checking, the responsibility for providing references falls primarily to HR staff (see Figure 10). In fact, as mentioned previously, many organizations have a policy dictating that only HR staff may provide employee references.

Organizations with 500 or more employees are more likely than those with 100-499 employees to

Table 18 Policies and Procedures for Providing Reference Checks

	n	Yes
Policy that only HR may give future employers information about current or former employees	337	32%
Policy not to provide any information beyond employment verification to future employers	338	25%
Policy stating that employees must complete a reference authorization form before the organization will provide any information about their employment to future employers	335	22%
Reviewing reference policies with employees upon leaving the organization	334	10%
Obtaining a reference release from employees when they leave the organization	332	7%
Policy to provide a generic letter of reference or stipulations regarding the terms of references as part of the severance package when an employee leaves the organization	331	6%

Source: 2004 Reference and Background Checking Survey Report

Table 19 Policies and Procedures for Providing Reference Checks (By Organization Staff Size)

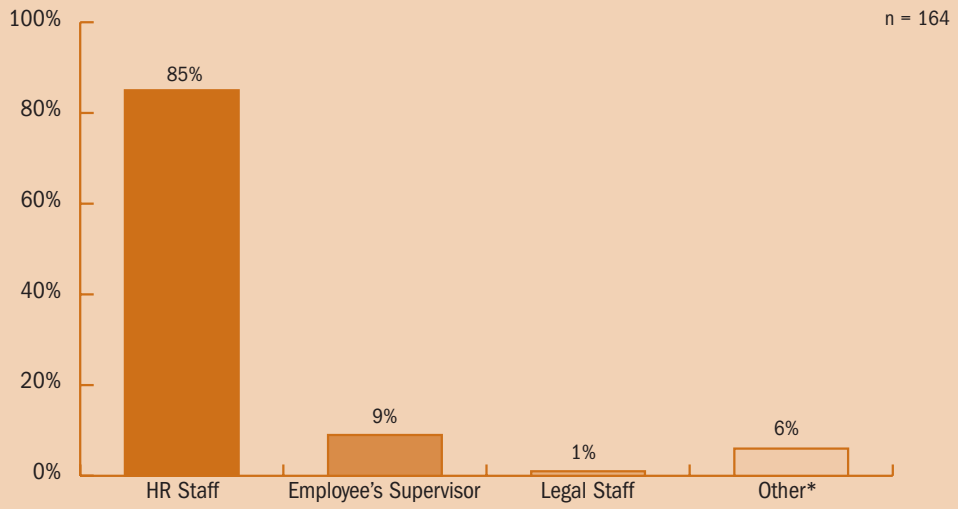
	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Obtaining a reference release from employees when they leave the organization	7%	13%	5%	3%	Small > large
Policy to provide a generic letter of reference or stipulations regarding the terms of references as part of the severance package when an employee leaves the organization	6%	11%	3%	8%	Small > medium

Note: Sample sizes are based on the number of respondents providing organization staff size; however, the percentages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

indicate that a former employee's supervisor is primarily responsible for providing references (15% compared with 3%, see Table 20). This may reflect an effort to provide more meaningful references, since at larger organizations the HR staff is probably less likely to be familiar enough with an individual's work habits to give worthwhile information. HR professionals from organizations where a security clearance may be required are less likely than others to indicate that the primary responsibility for providing references falls to HR staff (73% compared with 87%, see Table 21).

Figure 10 Responsibility for Providing References



** Includes responses such as outsourced, company president and anyone.*

Note: Includes only respondents who indicated that they provide reference checks. Percentages may not total 100% due to rounding.

Source: 2004 Reference and Background Checking Survey Report

Table 20 Responsibility for Providing References (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Former employee's supervisor	9%	11%	3%	15%	Large > medium

Note: Includes only respondents who indicated that they provide reference checks. Sample sizes are based on the number of respondents providing organization staff size; however, the percentages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Providing the Specific Information Requested

Table 22 shows how frequently respondents provide different types of information about current or former employees to potential employers seeking references.

Again, far more HR professionals indicated that they provide dates of employment than any other piece of information—46% said that they always provide this information when asked. About one out of six (17%) will always provide information on whether an employee is eligible for rehire which, as mentioned earlier, many reference seekers have begun to use as a way to get any information on a prospective employee from reluctant reference providers. Thirteen percent of respondents indicated that they would always provide a salary history. All other pieces of information received less than 8% of "always" responses. This includes information such as qualifications for a particular job (5%), violent or bizarre behavior (5%) and job performance (4%). Again, providing less information may end up most harmful to good employees. If two individuals apply for an opening, one of whom is a top performer and the other one is marginal, yet they each receive the same bare-bones references, the better performing employee is at a disadvantage.

Table 23 shows differences in how often HR professionals provide different pieces of information by organization staff size.

Table 21 Responsibility for Providing References (By Whether Any Position May Require Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
HR staff	85%	73%	87%

Note: Includes only respondents who indicated that they provide reference checks. Sample sizes are based on the number of respondents providing security clearance information; however, the percentages shown are based on the actual number of respondents by clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 22 Providing Requested Information

	n	Always	Sometimes	Rarely	Never
Dates of employment	343	46%	2%	0%	53%
Eligibility for rehire	339	17%	15%	4%	64%
Salary history	335	13%	16%	7%	65%
Reason candidate left the organization	335	8%	16%	6%	71%
Qualifications for a particular job	336	5%	14%	7%	74%
Violent or bizarre behavior	317	5%	10%	9%	76%
Job performance	336	4%	16%	9%	72%
Overall impression of employability	335	4%	15%	7%	74%
Interpersonal skills	336	3%	13%	10%	74%
Work ethic	336	2%	15%	7%	75%
Malpractice, professional disciplinary action, etc.	318	2%	7%	9%	82%
Personality traits	333	1%	9%	12%	78%

Note: Percentages are row percentages and may not total 100% due to rounding.

Source: 2004 Reference and Background Checking Survey Report

Table 24 shows differences in how often HR professionals provide different pieces of information by whether or not any positions at their organization require a security clearance. HR professionals at organizations that may require a security clearance are more likely to provide information on an employee's salary history than those at organizations where no security clearance is required.

Effect of Liability Waivers

One way to combat the fear of liability and potentially get more information about job applicants is to have the individual for whom the reference is being provided sign a waiver releasing the reference provider from legal action. As discussed earlier (see Table 18), almost one-quarter (22%) of HR professionals indicated that their organization has a policy requiring such a waiver before a reference is given. Figure 11 shows that two-thirds of HR professionals (66%) said that such a waiver would make them more likely to provide a reference.

Table 23 Providing Requested Information (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
Eligibility for rehire	1.85	2.14	1.71	1.81	Small > medium
Qualifications for a particular job	1.51	1.74	1.46	1.41	Small > large
Interpersonal skills	1.45	1.66	1.41	1.32	Small > large
Work ethic	1.45	1.59	1.47	1.30	Small > large
Personality traits	1.33	1.47	1.33	1.21	Small > large

Note: Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing organization staff size; however, the averages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Table 24 Providing Requested Information (By Whether Any Position May Require Security Clearance)

	Overall (n = 345)	Clearance May Be Required (n = 62)	No Positions Require Clearance (n = 271)
Salary history	1.75	2.08	1.68

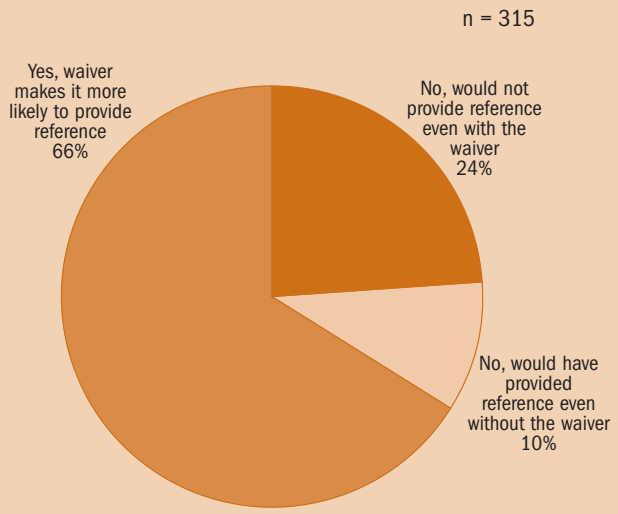
Note: Average ratings are based on a scale where 1 = Never, 2 = Rarely, 3 = Sometimes and 4 = Always (higher average means references are checked more often). Sample sizes are based on the number of respondents providing security clearance information; however, the averages shown are based on the actual number of respondents by security clearance who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

Legal Issues

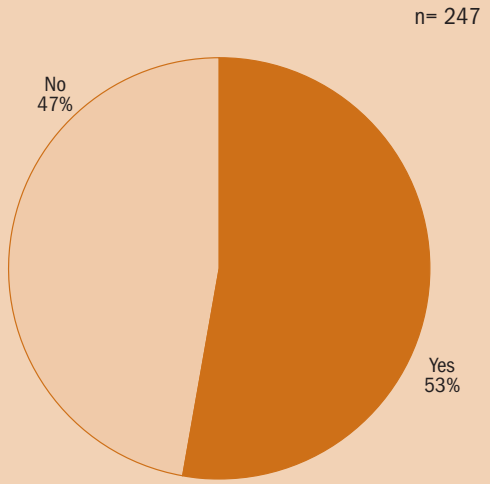
As mentioned previously, many individuals and organizations are reluctant to provide references for fear of liability. Traditionally, this liability has taken the form of a defamation claim against the individual or organization as a result of a negative reference provided to a potential employer. As seen in Figure 12, more than half of respondents (53%) indicated that they are aware of someone in their organization refusing to provide information about a former employee for fear of legal action. HR professionals in organizations with 500 or more employees are more likely than those in organizations with fewer than 100 employees to report this (64% for large organizations compared with 38% for small, see Table 25),

Figure 11 Impact of Liability Waiver on Likelihood of Providing Reference



Source: 2004 Reference and Background Checking Survey Report

Figure 12 Organization Refusing to Provide Reference for Fear of Legal Action



Source: 2004 Reference and Background Checking Survey Report

Table 25 Refusing to Provide Reference for Fear of Legal Action (By Organization Staff Size)

	Overall (n = 345)	Small (1-99 Employees) (n = 88)	Medium (100-499 Employees) (n = 150)	Large (500 or More Employees) (n = 105)	Differences Based on Staff Size
To your knowledge, has anyone in your organization ever refused to provide information about a former employee for fear of legal action?	53%	38%	56%	64%	Large > small

Note: Sample sizes are based on the number of respondents providing organization staff size; however, the percentages shown are based on the actual number of respondents by staff size who answered this question using the response options provided.

Source: 2004 Reference and Background Checking Survey Report

though the difference may come simply from the fact that organizations with more employees receive more reference requests than those with fewer employees.

Recently, however, policies put in place to prevent this liability by providing little to no employment information have begun to backfire as some organizations are accused of being liable for not providing adequate warning about the threat posed by a former employee who went on to cause harm or commit a crime at a future employer. Conversely, some organizations are facing accusations of negligent hiring for hiring an individual who goes on to harm another employee or customer or who commits another crime as an employee. Table 26 provides information on the percentage of HR professionals whose organizations have faced various legal issues regarding reference and background checks in the last three years. Although these numbers are small, a single event can cost an organization immensely in monetary damages and legal fees, not to mention the bad publicity that can result regardless of the outcome of the proceedings.

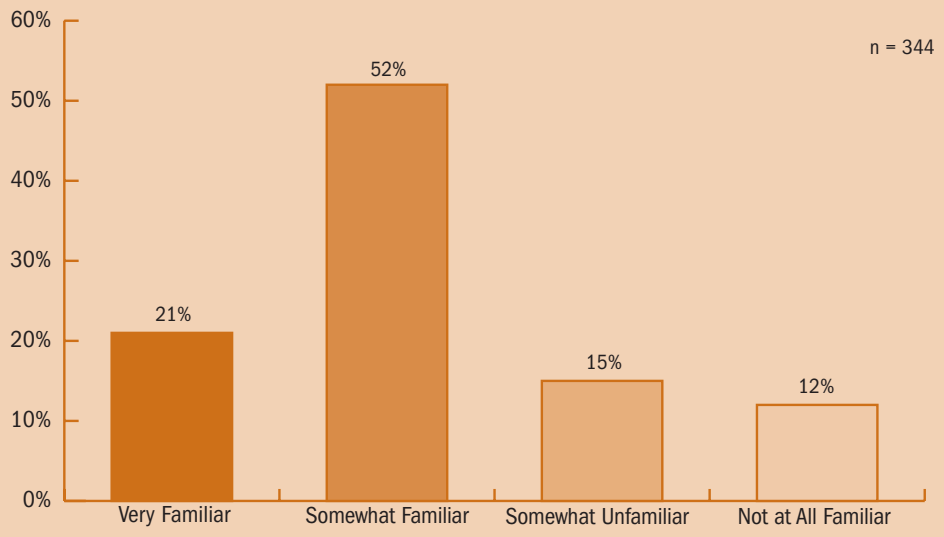
In reaction to these legal fears, some states have enacted "Good Samaritan" laws shielding those who provide references from legal liability if the reference is provided in good faith (i.e., complete and accurate to the extent of the individual's knowledge). Most HR professionals indicated they are very familiar (21%) or somewhat familiar (52%) with such laws in their state, though 15% said they are somewhat unfamiliar with these laws, and more than one out of 10 HR professionals (12%) indicated they are not at all familiar with these laws (see Figure 13). As seen in Figure 14, three-quarters of HR professionals believe these types of laws would lead to their organizations sharing more information about current or former employees.

Table 26 Incidence of Legal Issues in Previous Three Years

	n	Yes
A defamation claim brought against the organization as a result of a reference about a former employee that was given to a future employer	298	2%
An accusation of negligent hiring for hiring an individual who later harmed another employee or customer or committed another crime as an employee	301	3%
An accusation of failing to provide adequate warning about the threat posed by a former employee who went on to harm someone or commit a crime at another organization	300	1%

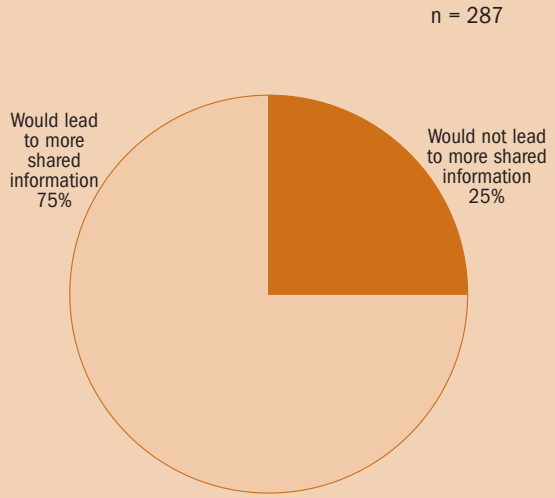
Source: 2004 Reference and Background Checking Survey Report

Figure 13 Familiarity With State Laws Protecting Reference Providers



Source: 2004 Reference and Background Checking Survey Report

Figure 14 Effect of State Laws Protecting Reference Providers



Source: 2004 Reference and Background Checking Survey Report

Conclusion

Reference and background checking is a crucial part of the hiring process and one in which HR can and should play a vital role. The goal should always be to encourage the free and complete sharing of useful information to enable companies to make the best possible hiring decisions.

Good reference checking begins with a number of surprisingly simple policies. First, of course, is to actually conduct background and reference checks. Even such basic information as eligibility to work in the United States can lead to significant resource and monetary drains on an organization if it is later discovered that an employee provided false information in the application process. Other negative outcomes of not checking information range from hiring an employee who is a poor fit for the position to financial or even violent crime committed by someone whose background information could have provided a "red flag." Organizations can take a number of basic actions to discourage applicants from providing false or misleading information. These include a notification to candidates that any false information provided during the application process is grounds for dismissal if hired and requiring candidates to sign and date employment applications. It is also a good idea to have standard written policies and procedures regarding both obtaining and providing references.

While HR professionals tend to be more familiar with the legal ramifications of reference checking and are usually the best people to verify objective information such as education and criminal records, hiring managers or an employee's former supervisor may be in a better position to ask questions for a specific job opening or provide information on a specific employee. HR should oversee the process and train everyone who may be involved in order to provide and obtain good information.

HR professionals believe reference checking can be effective, but express frustration at the amount of information they are able to obtain. Therefore, the HR profession should be working toward an environment where organizations and individuals are encouraged to provide complete information. Policies not to provide references at all or to only provide such basic information as dates of employment are understandable given the immense negative consequences that can come from litigation. However, there are many drawbacks to these policies as well. One alternative would be to encourage more states to pass legislation protecting those who provide references in good faith. Signed liability waivers from the person about whom a reference is being obtained may also help alleviate legal concerns and encourage the free flow of information.

A Look Ahead: A Future View of Reference and Background Checking

By Jennifer Schramm, Manager of Workplace Trends and Forecasting

Changes in the use of reference and background checking may be increasingly driven by developments in technology, and technology is certainly one of the most important factors behind the rapid increase in the use of background checking over the last few years. Less than a decade ago, only 51% of employers conducted background checks. Now 96% of employers use background checks, with nearly as many small- and medium-sized employers utilizing them as large employers. This development is probably largely technology-driven, with better links between electronic online databases continuously driving down the cost of reference checking.

As technology develops further, background checking may become even easier for employers for several reasons. First, more record holders are likely to create Web-friendly databases that can be easily referred to by employers. For example, the Social Security Administration is piloting an Internet program that provides name and Social Security number verification within a very short period of time, ranging from immediate to next-day responses. Because Social Security numbers act as a gateway to other vital information, this new development could mean a major step forward in decreasing some types of background checks. Education verification data are also becoming more quickly available due to advances in record keeping among academic and other credential-awarding bodies.

Another technology-driven aspect of reference and background checking is the integration of these processes into existing human resource and personnel management technologies. As these types of Web-based checks become more standardized in their software and definitions, this integration is likely to make turnaround time even faster.

The development of reference and background checking technologies and processes is likely to make it more difficult for some job seekers. Those with criminal records, poor driving records or a history of worker's compensation claims may find it more difficult to hide these issues in their records. However, protections are in place, and employers cannot arbitrarily deny employment on these grounds. Inaccuracies are also a continuing problem. Particularly in credit history reports, inaccuracies may be more commonplace than many job seekers realize. Because job seekers are often unaware of why they were denied employment, they may be slow to pick up on such inaccuracies. It could therefore become much more common for job seekers to perform background checks on themselves to make sure that potential employers are receiving accurate information, particularly as the cost of doing so goes down.

As the cost of performing background checks continues to decrease, while the cost of not doing so goes up in the form of negligent hiring suits, a key question may become where the boundaries of employer responsibility for background checking begin and end. Are employers responsible for the hiring practices of partners or suppliers? As the workforce becomes more

global, how will employers perform background checks in countries where criminal and other informational databases are less well-developed? It seems likely that as the use of contract or outsourced labor grows, employers will add background checking to the list of duties partners or contractors need to perform in order to enter into a business contract.

A number of factors such as improvements in technology, global political developments such as terrorism and societal factors such as an increase in the number of individuals with criminal records are all likely to impact the use of background checking. Human resource professionals will lead the way in shaping both the policies and processes that guide the use of reference and background checking in the recruitment process. ■

Demographics

Census Region

(Number of Respondents = 335)

Midwest (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin)	34%
South (Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia)	22%
West (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Montana, Oregon, Utah, Washington, Wyoming)	20%
Northeast (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont)	24%

HR Staff Size

(Number of Respondents = 337)

HR professionals indicated their organization employed a median (middle value) of three HR professionals. HR staff size ranged from one to 700.

Unionization

(Number of Respondents = 339)

Seventeen percent of respondents indicated their organization employs unionized workers. Those 17% indicated that, on average, 52% of their workers are covered under a collective bargaining agreement.

Organization Staff Size

(Number of Respondents = 343)

On average, HR professionals indicated their organization employed 1,134 employees. Organization staff size ranged from two to 53,000.

Small (1-99 employees)	26%
Medium (100-499 employees)	44%
Large (500 or more employees)	31%

Security Clearance

(Number of Respondents = 333)

Nineteen percent of respondents indicated that their organization employs workers whose positions require a security clearance. Those 19% indicated that, on average, 43% of their positions require a security clearance.

Industry

(Number of Respondents = 339)

Services (profit)	12%
Health care	11%
Manufacturing (durable goods)	10%
Services (nonprofit)	9%
Finance	6%
Government	6%
Manufacturing (nondurable goods)	6%
Insurance	5%
Wholesale/retail trade	5%
Educational services	4%
Transportation	4%
Construction and mining/oil and gas	2%
High-tech	2%
Utilities	2%
Telecommunications	1%
Newspaper publishing/broadcasting	<1%
Other*	15%

** Includes responses such as real estate, staffing and casino/hotel.*

Sector

(Number of Respondents = 338)

Public/government sector	22%
Private sector	78%

For-Profit/Nonprofit Organization

(Number of Respondents = 339)

For-profit organization	72%
Nonprofit organization	28%

Survey Instrument

SHRM 2004 Reference and Background Checking Survey

The Society for Human Resource Management (SHRM) is conducting a survey on employee reference and background checks. Your responses to this survey will be kept strictly confidential. Responses from all participants will be combined and analyzed, and the findings will be reported only in their aggregate form.

Please participate in this survey by answering the following questions and clicking the "submit" button at the end no later than Tuesday, August 3, 2004. If you have any questions, please contact the SHRM Survey Program by telephone at (703) 535-6301 or by e-mail at surveys@shrm.org. Thank you in advance for sharing your time and knowledge. Your insight and experiences as an HR professional are invaluable to us in this effort.

Results of this survey will appear free to all respondents on the Survey Program homepage on SHRM's Web site. Please visit the Web site at www.shrm.org/surveys.

This survey should take no more than five minutes to complete.

In the questions below, the phrase "reference check" refers to any verification of information provided by a job applicant (e.g., employment history), documentation obtained regarding the job applicant (e.g., credit report or driving record) or communication with people regarding the job applicant (e.g., former supervisor or coworker).

Conducting Reference Checks

1. Does your organization, or an agency hired by your organization, conduct any form of background or reference checks on job applicants?

❍ Yes
❍ No (skip to question 10)

2. Please indicate which of the following policies and procedures your organization has in place for conducting reference checks on job applicants.

	Yes	No	Don't Know
Standardized questions to ask for the person conducting the reference check	❍	❍	❍
A notification to candidates that any false information provided in the application process is grounds for dismissal if hired	❍	❍	❍
A policy that no candidate is offered a position until a suitable number of references have been conducted	❍	❍	❍
A policy that no references are obtained without signed consent from the candidate	❍	❍	❍
A requirement that a reference be obtained from the job applicant's current employer/supervisor	❍	❍	❍
A requirement that a reference be obtained from at least one past employer/supervisor of the job applicant	❍	❍	❍
A requirement that all attempts to verify references be documented, no matter what the outcome	❍	❍	❍
A requirement that candidates must sign and date the employment application before being considered for a position	❍	❍	❍
A written policy for employees to follow when conducting reference checks	❍	❍	❍
Training those responsible for checking references to look out for "red flags"	❍	❍	❍
Training those responsible for checking references to be more effective	❍	❍	❍

3. How frequently does your organization, or an agency hired by your organization, check references for each of the following types of positions? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Know
Executive/upper management (e.g., CEO, CFO)	❍	❍	❍	❍	❍
Other management (e.g. directors, managers)	❍	❍	❍	❍	❍
Nonmanagement salaried employees	❍	❍	❍	❍	❍
Nonmanagement hourly employees	❍	❍	❍	❍	❍

4. Does your organization outsource any reference checking or verification?

❍ Yes
❍ No
❍ Don't know

5. In general, how frequently does your organization, or an agency hired by your organization, check any of the following for its job candidates? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Know
Verification of eligibility to work in the United States	❍	❍	❍	❍	❍
Verification of schools, colleges and/or universities attended	❍	❍	❍	❍	❍
Verification of degree(s) conferred	❍	❍	❍	❍	❍
Verification of former employers	❍	❍	❍	❍	❍
Verification of dates of previous employment	❍	❍	❍	❍	❍
Verification of former job titles	❍	❍	❍	❍	❍
Verification of former job responsibilities	❍	❍	❍	❍	❍
Verification of past salaries	❍	❍	❍	❍	❍
Verification of certifications, licenses, etc.	❍	❍	❍	❍	❍
Check for malpractice or professional disciplinary action	❍	❍	❍	❍	❍
Verification of articles published, speaking engagements, etc.	❍	❍	❍	❍	❍
Credit check	❍	❍	❍	❍	❍
Criminal record check	❍	❍	❍	❍	❍
Driving record check	❍	❍	❍	❍	❍

6. In general, how often do you find inconsistencies in each of the following areas when conducting background checks on job candidates? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Know
Eligibility to work in the United States	❍	❍	❍	❍	❍
Schools, colleges and/or universities attended	❍	❍	❍	❍	❍
Degrees conferred	❍	❍	❍	❍	❍
Former employers	❍	❍	❍	❍	❍

Dates of previous employment	❍	❍	❍	❍	❍
Former job titles	❍	❍	❍	❍	❍
Former job responsibilities	❍	❍	❍	❍	❍
Past salaries	❍	❍	❍	❍	❍
Certifications, licenses, etc.	❍	❍	❍	❍	❍
Malpractice or professional disciplinary action	❍	❍	❍	❍	❍
Articles published, speaking engagements, etc.	❍	❍	❍	❍	❍
Credit check information	❍	❍	❍	❍	❍
Criminal record	❍	❍	❍	❍	❍
Driving record	❍	❍	❍	❍	❍

7. Who at your organization is primarily responsible for conducting reference checks of job candidates? (Check only one.)

❍ HR staff
❍ Hiring supervisor
❍ Legal staff
❍ Outside agency
❍ Other (please specify): _____
❍ We don't check references
❍ Don't know

8. In general, how frequently are the following methods used to check references? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Know
E-mail	❍	❍	❍	❍	❍
Face-to-face/in-person	❍	❍	❍	❍	❍
Fax	❍	❍	❍	❍	❍
Internet	❍	❍	❍	❍	❍
Mail	❍	❍	❍	❍	❍
Telephone	❍	❍	❍	❍	❍

9. When checking the references of job candidates, how often do the people you communicate with provide adequate information in the following areas that will help you make a hiring decision? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Check This Info
Dates of employment	❍	❍	❍	❍	❍
Malpractice, professional disciplinary action, etc.	❍	❍	❍	❍	❍
Eligibility for rehire	❍	❍	❍	❍	❍
Interpersonal skills	❍	❍	❍	❍	❍
Overall impression of employability	❍	❍	❍	❍	❍
Personality traits	❍	❍	❍	❍	❍
Qualification for a particular job	❍	❍	❍	❍	❍
Reason candidate left previous employer	❍	❍	❍	❍	❍
Salary history	❍	❍	❍	❍	❍
Job performance	❍	❍	❍	❍	❍
Work ethic (tardiness, etc.)	❍	❍	❍	❍	❍
Violent or bizarre behavior	❍	❍	❍	❍	❍

10. How effective do you believe reference checking is in identifying potentially poor performing employees?

❍ Very effective
❍ Somewhat effective
❍ Not very effective
❍ Not at all effective

11. In general, has the amount of time spent on checking references increased, stayed about the same or decreased at your organization in the past three years?

❍ Increased
❍ Stayed about the same
❍ Decreased
❍ Don't know

12. Has your organization implemented new or different reference or background checking policies or procedures as a direct result of the September 11, 2001, terrorist attacks and/or the threat of terrorist attacks?

❍ Yes
❍ No (skip to question 14)
❍ Not sure (skip to question 14)

13. Please explain any new or different reference or background checking policies your organization has implemented as a result of September 11 and/or the threat of terrorist attacks. (Skip to question 15)

_____

_____

_____

14. Please explain the reasons, if any, that your organization has not felt it necessary to change its reference or background checking policies as a result of September 11 and/or the threat of terrorist attacks.

_____

_____

_____

Providing References

15. Does your organization have a policy not to provide any references on or information about current or former employees to potential future employers?

❍ Yes
❍ No (skip to question 19)

16. Please indicate which of the following policies and procedures your organization has in place for providing reference checks on current or past employees.

	Yes	No	Don't Know
Policy stating that employees must complete a reference authorization form before the organization will provide any information about their employment to future employers	❍	❍	❍
Policy not to provide any information beyond employment verification to future employers	❍	❍	❍
Policy that only HR may give future employers information about current or former employees	❍	❍	❍
Policy to provide a generic letter of reference or stipulations regarding the terms of references as part of the severance package when an employee leaves your organization	❍	❍	❍
Reviewing reference policies with employees upon leaving the organization	❍	❍	❍
Obtaining a reference release from employees when they leave the organization	❍	❍	❍

17. Who at your organization is primarily responsible for providing references about former employees? (Check only one.)

❍ HR staff
❍ Legal staff
❍ Former employee's supervisor
❍ Other (please specify): _____
❍ We don't provide references
❍ Don't know

18. How frequently does your organization provide the following types of information when a reference is requested? (Check one box per row.)

	Always	Sometimes	Rarely	Never	Don't Know
Dates of employment	❍	❍	❍	❍	❍
Malpractice, professional disciplinary action, etc.	❍	❍	❍	❍	❍
Eligibility for rehire	❍	❍	❍	❍	❍
Interpersonal skills	❍	❍	❍	❍	❍
Overall impression of employability	❍	❍	❍	❍	❍
Personality traits	❍	❍	❍	❍	❍
Qualification for a particular job	❍	❍	❍	❍	❍
Reason candidate left your organization	❍	❍	❍	❍	❍
Salary history	❍	❍	❍	❍	❍
Job performance	❍	❍	❍	❍	❍
Work ethic (tardiness, etc.)	❍	❍	❍	❍	❍
Violent/bizarre behavior	❍	❍	❍	❍	❍

19. If the person requesting a reference provides a waiver signed by a current or former employee for whom a reference is being sought, is your organization more likely to agree to provide the reference?

❍ Yes
❍ No, would have provided reference even without the waiver
❍ No, would not provide reference even with the waiver

Legal Issues

20. In the past three years, has your organization faced any of the following?

	Yes	No	Don't Know
A defamation claim brought against the organization as a result of a reference about a former employee that was given to a future employer	❍	❍	❍
An accusation of negligent hiring for hiring an individual who later harmed another employee or customer or committed another crime while an employee	❍	❍	❍
An accusation of failing to provide adequate warning about the threat posed by a former employee who went on to harm someone or commit a crime at another organization	❍	❍	❍

21. To your knowledge, has anyone in your organization ever refused to provide information about a former employee for fear of legal action?

❍ Yes
❍ No
❍ Don't know

22. How familiar are you with any laws your state may have regarding protecting employers who provide references?

❍ Very familiar
❍ Somewhat familiar
❍ Somewhat unfamiliar
❍ Not at all familiar

23. In your opinion, would state laws protecting employers who provide references lead to your organization providing more information when you receive requests for references on a current or former employee?

❍ Yes, laws would lead to more information being shared
❍ No, laws would not lead to more information being shared
❍ Don't know

Demographics

24. What is the ZIP code of the location for which you are responding? _____

25. How many people are employed at your location? _____

26. How many people are employed both full time and part time in your organization's HR department/function? _____

27. Are any of your employees at this location unionized (under a collective bargaining agreement)?
❍ Yes
❍ No (skip next question)

28. What percentage of employees at this location are unionized? _____%

29. Do any positions at this location require a security clearance?
❍ Yes
❍ No (skip next question)

30. Approximately what percentage of positions at this location require a security clearance? _____%

31. Which industry best describes this location's main business? (Check only one.)
❍ Construction and mining/oil and gas
❍ Educational services
❍ Finance
❍ Government
❍ Health
❍ High-tech
❍ Insurance
❍ Manufacturing (durable goods)
❍ Manufacturing (nondurable goods)
❍ Newspaper publishing/broadcasting
❍ Services (nonprofit)
❍ Services (profit)
❍ Telecommunications
❍ Transportation
❍ Utilities
❍ Wholesale/retail trade
❍ Other (please specify) _____

32. Is your organization in the public/government or private sector?
❍ Public/government sector
❍ Private sector

33. Is your organization for-profit or nonprofit?
❍ For-profit organization
❍ Nonprofit organization

SHRM Survey Reports

Available to members and the public:

1. 2004 U.S. Job Recovery and Retention Poll Findings (33 pages, November 2004)
2. Employee Trust and Organizational Loyalty Poll Findings (14 pages, July 2004)
3. Job Negotiation Survey Findings (41 pages, April 2004)
4. Job Opportunities Survey (39 pages, September 2003)
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15. Fair Labor Standards Act (FLSA) Survey (20 pages, August 2003)
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17. SHRM Job Satisfaction Series: Job Security Survey (41 pages, June 2003)
18. SHRM/NOWCC/CED Older Workers Survey (53 pages, June 2003)
19. March 2003 Current Events Survey (28 pages, May 2003)
20. 2003 FMLA Poll (20 pages, April 2003)
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