



## **Screening Employees: Best Practices for Researchers**

Exercising care to hire honest employees is one of the best ways to help secure a research firm or organization and reduce the risk of data security breach, fraud and identity theft -- to the organization/company, and to respondents. Past behavior is widely considered to be the best predictor of future behavior, though it is not a perfect tool. Conducting background checks can assist researchers in learning and assessing the character pattern of prospective employees (or current employees, if there was no background check before their hiring).

### **What kind of employee background checks should be considered?**

The type of background check to use depends on the size and nature of the business or organization and the duties of the employee:

- If the organization handles lots of personally identifiable information (PII), especially financial or health data, researchers should consider full criminal background checks for anyone who might come into contact with it; or
- If the business handles a minimal amount of PII, or the employee will be prevented from accessing such data while working there, a simple credit report can provide a useful snapshot of an applicant.

Because background spot-checks, themselves, raise privacy issues, researchers should handle them carefully. If a “red flag” emerges in a background check, confirm the information’s accuracy with the source before making a hiring decision. Other factors to consider in this process might include:

### **Using a consumer/credit report in a background check**

Whenever ordering a background check on a prospective or current employee, state and federal laws require that the organization ordering the check notify the person (in writing) that they intend to use a consumer report, and obtain the person’s consent to do so. This process is a key element of the federal Fair Credit Reporting Act (FCRA). Most background checks contain a “consumer report.” If an organization or company decides to reject an applicant or release a current employee based on something in their consumer report, they must tell the person that they have done so for this reason.

### **State laws may vary**

Many states have their own laws that apply to background checks and consumer credit reports, especially when those employees may be working with minors. Researchers should consult with legal counsel about requirements in their business’ home state and in any other states in which their organization makes hiring decisions.

### **More Information**

For more information on laws and best practices impacting research, contact MRA, and consider becoming a [member](#) to get free access to the [MRA Compliance Guide](#). Please note that MRA Government Affairs does not generally handle labor and employment issues, though they are addressed in the Virtual Business Guide.