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This document details the Pre-and Post-Hire Procedures referenced in HRM-034: *Background Checks, Screenings, and Ongoing Responsibility for Employees to Disclose Criminal Convictions.*

Procedures:

Pre- and Post-Hire Procedures:

1. Pre-Employment Background Check Process:

A. Evaluating Job Applicants' Self-Disclosures:

- Applicants who disclose criminal convictions on employment applications for relevant positions, such criminal convictions will be reviewed by UVA Human Resources (Talent Support) to determine whether the application will be considered, considering the date of conviction(s), subsequent work history, and other relevant factors. If further review is warranted, UVA Human Resources will consult with other University officials as appropriate, prior to allowing a candidate to be considered for any position.
- If the candidate is determined to be ineligible for the position, UVA Human Resources will notify the candidate accordingly.
- Otherwise, UVA Human Resources (Talent Support) will compare the completed background check report with the information disclosed by the candidate. If there are no convictions or no convictions that UVA Human Resources determines to be disqualifying, UVA Human Resources will inform the appropriate school/department/unit that the hiring process may proceed.
- If a criminal conviction is revealed as part of the background check, UVA Human Resources will consult, as necessary, with the school/department/unit's designated hiring official on the nature and circumstances of the conviction. The candidate will be given the opportunity to explain or discuss the conviction with the authorized University official or designee.
- In the event the appropriate vice president and CHRO, or designee, or appropriate Medical Center leadership and CHRO determines that the conviction is serious enough to warrant review prior to a final decision regarding employment, the CHRO or designee will consult with the appropriate school/department/unit head and the Office of University Counsel, as necessary, before making a final determination.

B. Extending Conditional Offers of Employment:

- As part of the conditional offer, the candidate will be asked to complete the requisite documentation authorizing the University to conduct a background check inquiry.
- Failure to submit the completed authorization within the established period may delay the candidate's start date and/or result in the withdrawal of the conditional offer.

C. Post-Offer Pre-Employment Screening

- In addition to a background check as described in this policy, some positions may require a functional capacity and/or medical examination. These examinations are completed after a conditional job offer has been made and before employment commences.
- Individuals who do not complete these examinations successfully are notified in writing by UVA Human Resources. Employee Health is responsible for reviewing and assessing all medical information supplied by third party vendors and/or healthcare providers.

2. Post-Employment Disclosure of Criminal Convictions:

A. Reporting Requirements for Current Employees:

- During the course of employment, any employee convicted for any crime (excluding moving traffic violations) has five calendar days to report the conviction via the online Employee Conviction Disclosure Form (see Self-Disclosure Form below).
- For employees whose responsibilities include the use of University-owned vehicles (see [PRM-014: Use and Management of University-Owned Vehicles](#)), report any moving traffic violation within five calendar days of the citation using the Self-Disclosure Form.
- Upon receiving a disclosure, UVA Human Resources may, if appropriate, refer the disclosure to the University's Threat Assessment Team and other pertinent University officials to evaluate whether there is potential risk warranting further action.
- If UVA Human Resources determines that the disclosure constitutes a possible violation of University policy or could compromise the individual's ability to effectively perform their job, UVA Human Resources will contact the appropriate official in the school/department/unit and, if appropriate, the employee's supervisor to discuss the possibility of further action.
- The University may, given the nature of the conviction, place an employee on paid leave or leave without pay, pending the outcome of its investigation.

B. Self-Disclosure Form:

- Within five days from the date of conviction for any crime (excluding moving traffic violations) complete the on-line *Self-Disclosure Form* https://virginiahsd.co1.qualtrics.com/jfe/form/SV_9N3aOVngogZUh1j.
- This reporting requirement includes all convictions regardless of where they occurred (inside or outside the Commonwealth of Virginia).
- Employees are not required to report minor traffic violations unless their position is covered under [PRM-014: Use and Management of University-Owned Vehicles](#) (PRM-014).
- Arrests related to reckless driving and driving under the influence of alcohol or other drugs are not “minor traffic violations” and must be reported.
- Employees whose responsibilities include the use of University-owned vehicles under the provisions of PRM-014, report any moving traffic violation within five calendar days of the citation by completing the on-line Self-Disclosure Form.

C. Evaluation of Employee Self-Disclosures and Action by UVA Human Resources:

- Employee self-disclosures will be evaluated individually and will not necessarily affect employment.
- UVA Human Resources will notify the employee's school/department/unit of the conviction, only if it is determined that the conviction is pertinent to the employee's ability to carry out the duties or functions of their position.
- Depending on the facts and the employee's involvement in the events leading to the conviction, convictions reported to the employee's school/department/unit may result in disciplinary action up to and including termination in accordance with the relevant University and/or Medical Center policies.
- If an employee is to be denied employment, promotion, or transfer wholly or partly because of information obtained in a background check, the employee will be informed in advance of any adverse action.
- In addition, where required by law and to the extent applicable, the employee will be given.
 - A copy of the relevant background check report.
 - A summary of the individual's legal rights concerning the background check report.
 - The name, address, and telephone number of the third-party vendor if the individual has questions about the results of the report or wants to dispute the accuracy of the report.
- On receiving an employee self-disclosure, UVA Human Resources may, if appropriate, refer the matter to the University's Threat Assessment Team and/or other pertinent University officials to evaluate whether there is potential risk warranting further action.