

Policy Summary

All final candidates must be asked, prior to hire, whether they have been found to have engaged in, are currently under investigation for, or left employment during an active investigation in which they were accused of sexual violence or sexual harassment.

UW System institutions must ask the most recent employer, any UW System institution, and any Wisconsin State Agency whether a final candidate has been found to have engaged in, is currently under investigation for, or left during an active investigation in which they were accused of any sexual violence or sexual harassment.

A UW System institution contacted by a potential employer for a reference check regarding a current or former employee must notify the potential employer of the appropriate UW System institution contact for any questions regarding employee misconduct (including any violation of sexual violence or sexual harassment policies), even if the potential employer does not specifically ask.

Conducting Reference Checks

At a minimum, final candidates and designated references (per section 2a) must be asked prior to hire whether they:

- were ever found to have engaged in any sexual violence or sexual harassment
- are currently under investigation or have ever left employment during an active investigation in which they were accused of sexual violence or sexual harassment

Required Questions

1. All Final Candidates

- a. Recruiter or designated HR staff will call or email the question form to the final candidate upon verbal acceptance of a job offer.
- b. Recruiter will notify the hiring manager only when the reference check requires further investigation.
 - i. If both questions are answered no, then hiring proceeds as normal.
 - ii. If either or both questions are yes, then the information is forwarded to the escalation committee.
- c. For recruitments that are part of PeopleAdmin, the Recruiter will upload the completed form as part of the recruitment.
- d. For recruitments that are not part of PeopleAdmin, the Recruiter will upload the completed form and save to online file.

2. Obtaining References

- a. Recruiter or designated HR staff will call or email the question form to the most recent employer and to any UW System institution or Wisconsin State Agency that the candidate has worked for within the past 7 years upon verbal acceptance of a job offer.

- b. Recruiter will notify the hiring manager only when the reference check requires further investigation.
 - i. If both questions are answered no, then hiring proceeds as normal.
 - ii. If either or both questions are yes, then the information is forwarded to the escalation committee.
 - c. For recruitments that are part of PeopleAdmin, the Recruiter will upload the completed form as part of the recruitment.
 - d. For recruitments that are not part of PeopleAdmin, the Recruiter will upload the completed form and save to online file.
- 3. Providing References**
- a. UW System institutions must mandate the use of a disclaimer by the supervisor or designated individual responding to a reference check regarding a current or former employee.
 - i. **Mandated Disclaimer for anyone responding to a reference check**
 - 1. *All questions related to employee misconduct including sexual misconduct are addressed only by our human resources department, which can be contacted hrinfo@uwlax.edu This is not meant to imply that this candidate has committed any misconduct but is something we are required by policy to tell all potential employers.*
 - b. UWL Reference Check Institution Contacts
 - i. Amy Whillock, Assistant Director, HR at awhillock@uwlax.edu
 - ii. Beth Hill, Assistant Director, HR at bhill@uwlax.edu
 - c. A Qualtrics link will be created and utilized for requests and tracking purposes.
- 4. Escalation Committee**
- a. Members
 - i. Director of Human Resources/CHRO
 - ii. Assistant Director, Human Resources
 - iii. Title IX Coordinator
 - iv. Vice Chancellor (Hiring Unit)
 - v. Hiring Manager
 - b. Process and Considerations
 - i. TBD by CHRO, Assistant Director, HR and Title IX Coordinator.
- 5. Notice**
- a. All position postings or vacancy announcements (including advertisements)
 - i. Verbiage to be included: Employment will require a criminal background check. It will also require you and your references to answer questions regarding sexual violence and sexual harassment.
 - b. Appointment documents
 - i. Verbiage to be included: This offer of employment is conditional pending the results of a criminal background check and/or the reference check process that includes questions regarding sexual violence and sexual harassment. If the results are unacceptable, the offer will be withdrawn or, if you have started employment, your employment will be terminated.