

## **Policy 701.8 –Reference Checks**

Date Adopted: 6/9/09

Issuing Office: Administration & Finance

Date Revised:

Approved By:

References: Americans with Disabilities Act (ADA), 1992

---

### **I. POLICY**

The University of Montana Western performs reference checks for employment applicants during its hiring process as well as providing information to UMW employees who are contacted as references for others.

### **II. PURPOSE**

The purpose of this policy is to comply with the American with Disabilities Act with regard to the types of questions that can and cannot be asked during reference checks.

### **III. PROCEDURES**

#### **A. Reference Checks During Hiring Process**

When properly applied, reference checks can be an effective tool to use during the hiring process and may assist an interviewer in selecting a successful candidate for a position. Applicants are required to provide three references to UMW as part of a completed application or resume packet. The purpose of this policy is to standardize the procedure used when checking the references of applicants for positions at the University.

Restrictions on pre-employment inquiries apply to inquiries made directly to an applicant or made indirectly about an applicant. During the process of checking references, the interviewer cannot ask previous employers or other sources about an applicant's disability, illness, workers' compensation history, or other similar restricted matters. An interviewer can inquire about the job functions and tasks performed by the applicant, his/her ability to perform essential job functions, the quality and quantity of work performed, attendance record, and other job-related issues that do not relate to disability.

A copy of the Reference Check Form is included in the interview packet. If reference checks are used as part of the hiring process, the following guidelines will apply.

1. A Reference Check Form must be completed for each reference check.
2. The interviewer will attempt to verify any negative information received as a result of a reference check by contacting at least one other reference.
3. A copy of the completed Reference Check Form must be included with the screening/interview materials returned to the Equal Opportunity/Affirmative Action Officer.

Reference checks may be made at any time during the hiring process; however, they are most beneficial when used in conjunction with an evaluation of submitted application materials and personal interviews. Although it is not necessary to conduct reference checks on all applicants in the screening and/or interview pool, the decision of when to use checks should be justifiable and applied in a fair and consistent manner.

**B. Reference Check Request Received from Potential Employers**

The respondent to the reference inquiry must serve in a supervisory capacity and have direct knowledge of the person's work history and job performance. If the prospective employer of a former or current employee concerning a work reference contacts you, the following guidelines will apply:

1. Your response to the inquiry, including a summary of questions asked and responses given, should be documented for future reference.
2. Answer only those questions that directly relate to the person's job duties and/or performance.
3. You may answer questions concerning job functions and tasks performed by the applicant, the quality and quantity of work performed, how job functions were performed, or the person's attendance record (do not state or attempt to justify reasons for any absences).
4. You have no obligation to answer an improper question.
5. Do not discuss the person's disability, illness, workers' compensation history, or other similar restricted matters.
6. Any statements or responses given to a potential employer that reflect negatively on the employee must be supported by documentation in the employee's personnel file.

**IV. AUTHORITY**

Americans with Disabilities Act (ADA), 1992

**V. RESPONSIBILITY**

Vice Chancellor for Administration & Finance/Student Affairs, EEO/Affirmative Action Officer