



**City of Vernon, California  
Human Resources Policies and Procedures**

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Number: I-12 Effective Date: November 5, 2024

**SUBJECT: REFERENCE-BACKGROUND CHECKS**

**PURPOSE:**

To establish guidelines for pre-employment reference checks of potential new hires and promotions, and for the release of personal or reference information to other employers regarding current or former employees while complying with all applicable disclosure and privacy laws.

Please refer to Human Resources Policy I-13, Criminal History/Live Scan Policy regarding the policy and procedures for conducting criminal background checks.

**POLICY:**

1. Verifying Information & Obtaining References - The City of Vernon is responsible for confirming information provided by applicants in their employment application. Information concerning an applicant's education and employment history will be verified by Human Resources before a formal employment offer is extended. This responsibility includes verification of an applicant's credentials and previous work experience. Reference and background check requirements for sworn peace officer applicants and employees shall be governed by the Vernon Police Department Policy Manual, Recruitment and Selection Policy and California POST Commission Regulations.

The Human Resources Department shall verify all degrees, certifications, licenses and educational history listed in an employment application. Education can be verified by calling the campus Registrar or Student Records Office, although some campuses now refer you to a central registry service to obtain information. The student's name, social security number and dates of attendance or graduation are usually required in order to verify attendance and degrees earned. In most cases, this can be done over the telephone or online.

The Human Resources Department is responsible for ensuring that reference checks are conducted in accordance with applicable State and Federal laws. Reference information obtained in confidence by the City of Vernon from other employers is considered confidential and may be legally withheld from the applicant. However, any information obtained from public records as the result of a reference or background check must be released to the applicant within seven days unless the applicant waives their right to the information in accordance with Civil Code Section 1786.53.

The Human Resources Department is responsible for the oversight, compliance and consistency of reference checks. The hiring department shall conduct reference checks of candidates unless the hiring department wishes the Human Resources Department to do so. When the hiring department conducts reference checks, the department shall use and complete the attached Telephone Reference Check Form. Upon completion of reference checks, the hiring department shall submit the Telephone Reference Check Form(s) to Human Resources for approval. Departments must consult with the Human Resources Department prior to asking questions not specifically identified on the attached Telephone Reference Check Form.

The purpose of reference checking is to gather additional facts and information about the leading candidate(s). Reference checks help verify information gathered in the interview (experience, skills and capabilities), and is a valuable tool in gauging the candidate's interpersonal communication skills (i.e. teamwork, ability to get along with others, communication style, etc.). A thorough reference check may also provide the hiring department with new facts and information (strengths, weaknesses and constructive criticism) to consider in making a final hiring decision.

Previous employers may be reluctant to share negative information about former employees but employers should verify, at a minimum, dates worked and positions held. Some employers will also state whether an employee is eligible for rehire.

Any written information obtained in the reference check will be retained by the Human Resources Department and destroyed in accordance with Government Code Sections 34090, et. seq. and the Records Retention Schedule of the Human Resources Department.

With the exception of the Police Department, authorization to use an outside investigator or agency to conduct any reference or background check must be obtained in advance from the Human Resources Director.

Applicants who submit an application for employment with the City of Vernon agree to the following:

- a. To answer all questions completely and accurately;
- b. To allow the City to contact all employers and educational institutions listed, including current employer, and if applicable the appropriate supervisor within the City of Vernon (for former employees);

- c. That all statements made within application are true and complete; and
- d. That making false statements may lead to disqualification or dismissal.

California Law prohibits employers from posing questions to applicants that express discrimination based upon an applicant's race, religion, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, sexual orientation, gender, gender identity, gender expression, age (40 and over), and military and veteran status. Federal law also prohibits discrimination in the hiring process.

California Law prohibits employers from discriminating against an employee or applicant for their use of cannabis while off the job and away from the jobsite. There is no categorical exemption for employees of a local agency like the City. However, the City is also required by California and Federal law to maintain a drug free workplace.

The following are some examples of questions that cannot be asked regarding an applicant:

- a. When an applicant graduated from elementary or high school, or other questions concerning an applicant's age other than minimum age requirements;
- b. Where an applicant was born;
- c. Whether an applicant is a U.S. citizen;
- d. Questions regarding an applicant's race or ethnicity;
- e. Questions regarding an applicant's financial assets or debts, or whether an applicant owns or rents their residence;
- f. Questions concerning an applicant's height or weight;
- g. Questions concerning an applicant's family responsibilities such as the existence of dependents, childcare or child support, or about childbearing or fertility;
- h. Questions concerning an applicant's sexual orientation;
- i. Questions concerning an applicant's religion or religious practices; and
- j. Questions concerning an applicant's medical history or records.
- k. Questions concerning an applicant's use of cannabis while off the job and away from the job site.

- 2. Providing References to Outside Employers — The Human Resources Department is responsible for providing references to outside employers. Express written authorization must be provided by current or former City employees before requests for earnings-related data or detailed employment history can be released. Absent written authorization from the current or former employee, the Human Resources staff will only release basic factual information to other employers regarding current or former City employees.

In accordance with California Civil Code 1798-1798.78, the City of Vernon reference policy permits providing references to other employers including written verification of employment, dates of employment, job classification and salary range of an employee's

classification. The Director of Human Resources may authorize individual supervisors or managers to respond to requests for detailed employment information when a signed release is on file with the Human Resources Department.

Whenever there is any doubt concerning the legitimacy of a request for information, the inquiry will not be honored by the City.

**PROCEDURE:**

<b>Responsibility</b>	<b>Action</b>
Prospective Employees	1. Provides written consent to Human Resources to provide information pertaining to employment and/or payroll and/or Commercial Driver's License (if applicable) information.
Human Resources	2. Verifies all degrees, certifications, licenses and educational history listed in an employment application. 3. Confirms hiring department's compliance with reference check procedures.
Hiring Department (Human Resources, if requested)	4. Conducts reference check(s) provided in application after final interviews and lead candidate is identified 5. Utilizes the Telephone Reference Check Form for all reference checks. Consults with Human Resources prior to asking any questions not specifically identified on the Telephone Reference Check Form. 6. Submits completed Telephone Reference Check form(s) to the Human Resources Department.
Hiring Department	7. Submits personnel action form to Human Resources Department along

	with completed Telephone Reference Check Form(s).
Outside Agency (if applicable)	8. Responds to requests from City staff regarding reference and/or payroll information on employee.
Human Resources/Police Dept.	9. Coordinates with outside Background Investigation Company on background checks as requested.
	10. Provides DOT required forms to all new applicants.
	11. Provides applicant information to outside agency, if applicable.
	12. Provides reference checks to outside employers upon receipt of expressed written authorization from former employee.