



City of Pittsburgh  
Operating Policies

<b>Policy: Application Processing &amp; Background Investigations</b>	<b>Original Date: 3/1/2010</b> (Background Investigations Policy)
	<b>Revised Date: 2/6/2013</b>

**PURPOSE:** To establish guidelines for:

- I. The application process ensuring equal employment opportunity for persons previously convicted (Ban the Box);
- II. Conducting background investigations for prospective new hires, rehires and internal promotional candidates.

**POLICY STATEMENT:** It is the policy of the City of Pittsburgh to:

- I. Ensure that applicants (new hires, rehires, reinstatements, and internal promotional candidates) with histories of criminal convictions are not discouraged by the City of Pittsburgh's employment application process and to implement the policy in accordance with City of Pittsburgh Ordinance 2012-0013;
- II. Conduct background investigations on all new hire and rehire City employee positions and internal promotional candidates. This policy is in accordance with The Criminal History Record Act and the Fair Credit Reporting Act.

*Disclaimer: No statements in this policy are intended or set forth as contractual commitments or obligations of the City to any individual employee or group of employees, or to establish an exception to the employment-at-will doctrine beyond that specified in the Civil Service Statutes and Rules or pertinent collective bargaining agreement. If there are differences between the various collective bargaining agreements and this policy, the pertinent collective bargaining agreement takes precedence.*

# **I. APPLICATION PROCESSING**

## **PROCEDURES**

1. When the hiring departments receive the pool of applications for the position they need to fill, the Department Director/Bureau Chief will review the applications and determine the candidates to select for interviews.
2. After an applicant has been identified as otherwise qualified/eligible and selected for the position the Department Director/Bureau Chief will extend a conditional offer of employment and mail the individual a conditional offer packet. The conditional offer packet will contain:
  - a. A written conditional offer letter to the selected individual informing the individual that employment is contingent upon the individual successfully completing the final stages of the hiring process (for example, conditional offer acceptance form, background investigation, real estate investigation, driver's license verification (if applicable), medical examination, etc.).
  - b. An Affirmation of Acceptance Form.
  - c. Authorization of Release of Information Form for the background investigation.
  - d. Personal Property Form for the real estate investigation.
  - e. Driver's Authorization History Form.
3. Upon acceptance of the conditional offer of employment the individual must complete the items in the conditional offer packet and return them to the Department Director/Bureau Chief within seven (7) calendar days.
4. The Department Director/Bureau Chief will forward the items in the returned packet to the Personnel Department's Supervisor of Applications and Records for processing.
5. The Office of Municipal Investigations will complete the background investigation and the information will be transmitted back to the Personnel Department's Supervisor of Applications and Records who will record the receipt of the completed background information. The Supervisor of Applications and Records will then forward the background investigation information to the Director of Personnel and Civil Service Commission for review.
6. Once it has been determined that the applicant has successfully completed the final stages of the hiring process, the hiring Department Director/Bureau Chief will extend a final offer of employment and standard final offer letter which will include the position salary, employment start date, and items required for the individual to bring to the New Employee Orientation Session.
7. If the individual does not successfully complete the final stages of the hiring process the conditional offer of employment should be revoked in writing.  
**NOTE:** If as a result of a conviction history check the City finds a valid reason, necessary for business, to revoke or withdraw the conditional offer, the applicant will have the opportunity to provide clarifying information to the hiring department's Director/Bureau Chief for consideration prior to a final

decision about the offer according to the process described in Paragraph 9, below, and in the Conditional Offer of Employment form letter.

8. The Department Director/Bureau Chief will ensure that the Personnel Transaction Form and Nominating Letter are sent to the Department of Personnel in advance of the hire and start date. Once received in Personnel, the individual will be scheduled for the New Employee Orientation Session.

## **II. BACKGROUND INVESTIGATIONS**

### **A. PRE-EMPLOYMENT - PROCEDURES**

1. In accordance with The City of Pittsburgh employment policies all considered applicants will be made aware of our Background Investigation Policy at the time of application.
2. The hiring authority will collect from the candidates their official educational/training transcripts which are required to be submitted at the time of interview. Transcripts are required to be submitted for each/any interview candidates have with the City of Pittsburgh.
3. The hiring authority will forward the collected official education/training transcripts to the Department of Personnel and Civil Service Commission (P&CSC), to the attention of the Supervisor of Applications and Records immediately following the collection. **NOTE**: Candidates who do not present their transcripts may not be hired until the transcripts are presented to P&CSC.
4. The Supervisor of Applications and Records will verify that the individuals, for whom completed forms were submitted, are eligible candidates to be considered for selection.
5. The Supervisor of Applications and Records will enter the investigation request to the investigating authority and copy the appropriate Personnel Analyst staff member.
6. A third party expert investigation organization or The City of Pittsburgh Office of Municipal Investigations (OMI) will conduct all pre-employment background investigations.
7. All completed background investigation result reports are delivered directly to the Director of Personnel & Civil Service Commission (P&CSC) for review and employment approval. All background investigation results are valid for six (6) months from the date of the original request.

8. The Director of P&CSC will review all of the background results and notify the hiring department Director/Bureau Chief of the results. Final determinations will be based on the information obtained in the results report, the job description and requirements of the position.
9. The Director of P&CSC will communicate the results of the background investigation information directly to the hiring authority Director(s).
  - a. For candidates with background records which are clear, the hiring authority may then proceed to extend final employment offers to any approved candidate of their selection (assuming all of the contingent items from the conditional offer have been satisfied). Under no circumstances may an employment offer be made prior to the determination approval of the Director of P& CSC. Without a completed background check, a new employee is unable to receive a pay check. For temporary seasonal hires, it is the prerogative of the Director of the hiring authority to permit the seasonal employees to begin work while background investigations are being conducted. Continued temporary seasonal employment is contingent upon the results of the background investigation.
  - b. If the background investigation reveals a criminal conviction which is related to the position offered and withdrawal of the conditional offer is necessary for business reasons, the candidate must be given the opportunity to provide a written explanation with additional information to consider about that conviction. The candidate may provide supplemental documentation along with his/her written explanation within seven (7) calendar days.
    - i. If the candidate does not provide a written explanation and/or supplemental documentation within the seven calendar day period the hiring department Director/Bureau Chief may proceed to extend a conditional offer to another candidate.
    - ii. If the candidate does provide a written explanation and/or supplemental documentation within the seven calendar day period and, if after review, the supplemental documentation does not change the determination of the hiring Director/Bureau Chief, the hiring department Director/Bureau Chief will send the candidate the "No Change To Revocation Of Conditional Offer" letter, and he/she may proceed to extend a conditional offer to another candidate.
    - iii. If the candidate does provide a written explanation and/or supplemental documentation within the seven calendar day period and, if after review, the supplemental documentation does change the determination of the hiring Director/Bureau Chief, the conditional offer of employment may be reinstated and the "Reinstatement Of Conditional Offer" letter sent to the candidate. NOTE: Final offers of employment are still

contingent upon all of the items from the conditional offer being satisfied.

10. Candidates who do not successfully complete the background investigation do not have the right to an appeal process, unless there are exceptions under civil service regulations for that type of position.
11. Candidates being considered for civil service competitive positions (Police Officer & Firefighter) do have appeal rights based on Section 10 of the PA General Civil Service Act for Cities of the Second Class. Notifications will be sent in these cases to inform candidates of their Civil Service right to appeal.
12. All Release forms and collected results will be filed in the P&CSC office in the personnel files for selected candidates and/or in candidate's application record along with the official applications for employment.

## **PROMOTIONAL - PROCEDURES**

1. In accordance with the City of Pittsburgh background investigation policy all employees applying for or being nominated for a promotion will be made aware of our Background Investigation Policy at the time of application and/or before nomination.
2. The hiring authority will collect from the candidates their official educational/training transcripts which are required to be submitted at the time of interview. Transcripts are required to be submitted for each/any interview candidates have with the City of Pittsburgh.
3. The hiring authority will forward the collected official education/training transcripts to the Department of Personnel and Civil Service Commission (P&CSC), to the attention of the Supervisor of Applications and Records immediately following the collection. **NOTE:** Candidates who do not present their transcripts may not be promoted until the transcripts are presented to P&CSC.
4. The Supervisor of Applications and Records will verify that the individuals, for whom completed forms were submitted, are eligible candidates to be considered for promotion and will verify their current job title and if the position is a promotional advancement.
5. The Supervisor of Applications and Records will enter the investigation request to the investigating authority and copy the appropriate Personnel Analyst staff member.

6. A third party expert investigation organization or The City of Pittsburgh Office of Municipal Investigations (OMI) will conduct all promotional background investigations.
7. All completed background investigation result reports are delivered directly to the Director of Personnel & Civil Service Commission (P&CSC) for review. All background investigation results are valid for six (6) months from the date of the original request.
8. The Supervisor of Applications and Records will provide the original application, the personal data form and the personnel file of all internal applicants to the Director of Personnel and Civil Service Commission once the investigation result report is complete.
9. The Director of P&CSC will review all of the background results and notify the hiring department Director/Bureau Chief of the results. Final determinations will be based on the information obtained in the results report, the description and requirements of the position.
10. The Director of P&CSC will communicate the results of the background investigation information directly to the hiring authority Director(s).
  - a. For candidates with background records which are clear, the hiring authority may then proceed to extend final employment offers to any approved candidate of their selection (assuming all of the contingent items from the conditional offer have been satisfied). Under no circumstances may a promotional employment offer be made prior to the determination approval of the Director of P&CSC. Without a completed background check, an employee is unable to receive a pay check.
  - a. If the background investigation reveals a criminal conviction which is related to the position offered and withdrawal of the conditional offer is necessary for business reasons, the candidate must be given the opportunity to provide a written explanation with additional information to consider about that conviction. The candidate may provide supplemental documentation along with his/her written explanation within seven (7) calendar days.
    - i. If the candidate does not provide a written explanation and/or supplemental documentation within the seven calendar day period the hiring department Director/Bureau Chief may proceed to extend a conditional offer to another candidate.
    - ii. If the candidate does provide a written explanation and/or supplemental documentation within the seven calendar day period and, if after review, the supplemental documentation does not change the determination of the hiring

Director/Bureau Chief will send the candidate the “No Change To Revocation Of Conditional Offer” letter, and he/she may proceed to extend a conditional offer to another candidate., the hiring department Director/Bureau Chief may proceed to extend a conditional offer to another candidate.

- iii. If the candidate does provide a written explanation and/or supplemental documentation within the seven calendar day period and, if after review, the supplemental documentation does change the determination of the hiring Director/Bureau Chief, the conditional offer of employment may be reinstated and the “Reinstatement Of Conditional Offer” letter sent to the candidate. NOTE: Final offers of employment are still contingent upon all of the items from the conditional offer being satisfied.

11. Candidates who do not successfully complete the background investigation do not have the right to an appeal process, unless there are exceptions under civil service regulations for that type of position.
12. Candidates being considered for civil service competitive positions (Police promotional and Fire promotional), do have appeal rights based on Section 10 of the PA General Civil Service Act for Cities of the Second Class. Notifications will be sent in these cases to inform candidates of their Civil Service right to appeal.
13. All Release forms and collected results will be filed in the P&CSC office in the personnel files for selected candidates and/or in candidate’s application record along with the official applications for employment.