POLICY AND PROCEDURE GUIDE ON BACKGROUND CHECKS OF EMPLOYMENT APPLICANTS, EMPLOYEES, CONTRACTORS AND SUPPLIERS	PWE – 0-0
	Effective Date: Upon Approval DRAFT

I. PURPOSE

To maintain the security and safety of citizens and employees, and to enhance the Public Works & Engineering Department's (PWE) ability to select suitable candidates, it is the Public Works & Engineering Department's (PWE) intent to conduct background checks and pre-employment inquiries as a general practice. This intent is not limited to employment applicants. Where security and/or the satisfaction of performance requirements may be of concern, background checking also applies to current employees, contractors, subcontractors, suppliers and employees of contractors, subcontractors or suppliers.

II. SCOPE

A. Pre-employment assessment through a background check is a prerequisite to employment, and applies to all applicants for employment or contract award, without regard to race, religion, color, age, sex, national origin, veteran status, or disability.

B. Concern for the security and safety of citizens and employees is paramount. This policy borrows much of the background investigations procedure established by the *U.S. Office of Personnel Management* for national security, to inquire about a person's adherence to security requirements, honesty and integrity, vulnerability to exploitation or coercion, falsification, misrepresentation, and any other behavior, activities, or associations that tend to show the person is not reliable, trustworthy or loyal to the United States.

III. DEFINITIONS

A. Adverse references – Information in previous employment or personal history that indicates misconduct, irresponsibility, unreliability, or association with any person or entity that gives rise to concern about security, such as:

1. Reports of theft
2. Employment history that reflects excessive absences
3. Reports of disregard for on-the-job safety rules or participation in acts that endanger employee or citizen safety
4. Non-compliance with security regulations to a degree that might endanger the public or coworkers

B. Derogatory Information – Information that indicates that an individual is or has been subject to circumstances or engaged in conduct that implies unreliability, untrustworthiness, or coerciveness; or has been influenced or pressured into actions contrary to the best interest of public or national security. The following may be considered as derogatory information:

1. Questionable loyalty to the Government of the United States
2. Association with persons whose loyalty to the Government of the United States may be questionable
3. Membership in organizations, associations or groups whose intent is to deny the civil rights of others

C. Alcohol or Drug Use/Abuse – A record of one or more DRIVING UNDER THE INFLUENCE (DUI) in the past five years, or alcohol or drug usage which is verified to cause interference with job, resulting in hindrance of job performance or a threat to safety, loss of job, arrest, conviction, fine, serious accident, injury or interruption of personal relationships; the unlawful use of inhalants, the manufacture, distribution, dispensing, possession, or use of a controlled substance in amounts exceeding prescribed dosage(s)

D. Illegal Drugs

1. Drugs obtained by fraudulent prescriptions or used in a manner other than prescribed by a physician or dentist or used by a person other than the one for whom the prescription was written

2. Unauthorized controlled substances, look alike, designer or synthetic drugs or any other drugs or abnormal substances which may affect the employee's senses, responses, motor functions, or alter perception while working, excluding drugs properly prescribed, but including controlled substances named in the Controlled Substances Act

E. Laboratory Testing – Testing by a certified laboratory for the use/abuse of alcohol and drugs

F. Incarceration – Time spent in jail/prison resulting from a court conviction.

G. Applicant – An individual possessing job specific qualifications and experience. May be an applicant for PWE employment or change in PWE employment, or for a contract award, or an employee of a contractor or subcontractor

H. Employment Requirements – PWE expects to hire/contract personnel with proven skills, experience and education commensurate to the position for which they are selected

I. Pre-Employment Assessment – Investigation of applicants by the PWE Department and/or any investigative agency contracted by the PWE, or other measures deemed appropriate to determine suitability for PWE Department employment or contract award.

IV. POLICY AND PROCEDURE OVERVIEW

A. Background information will be sought to determine if the employment applicant or access to, contractor, subcontractor, or supplier, or contractor, subcontractor or supplier employee, is reliable, trustworthy, and of good conduct and character. Where security may be at issue, background investigation will also seek to determine if he or she is not a security threat. As indicated earlier, investigations will seek to assess the individual's record with regard to adherence to safety and security requirements, honesty and integrity, vulnerability to exploitation or coercion, falsification, misrepresentation, and any other behavior, activity or association that tends to show the person is not reliable or trustworthy.

B. Applicants to be interviewed may be required to furnish on City of Houston applications:

1. Names, addresses and telephone numbers of relatives, spouse and or former spouse(s) and individuals with whom the applicant has resided
2. Names, addresses and telephone numbers of references and acquaintances, including landlords, employers, coworkers commanding officers, military acquaintances and associations
3. Information relative to citizenship or residence in other countries and dates
4. Names, addresses and dates of school(s) attended in the United States and abroad
5. Identification with photo I.D, and/or other documents to verify identity, including documentation of any legal name change, Social Security Card, and/or birth certificate

C. Chance to Explain Adverse or Derogatory Information

1. If during the investigation, information is uncovered which may have a bearing on the applicant's qualifications, it will be examined and assessed regarding the applicant's relationships or acquaintances and the degree of the applicant's susceptibility to such influences
2. In most cases, applicants who may be considered for a conditional offer of employment will be given the opportunity to explain adverse or derogatory references brought forward by the background investigation

D. Finalists are Investigated; Current Employees May be Investigated

1. Normally, background investigations will be undertaken only after a conditional offer of employment or contract agreement is made
2. However, a background investigation may be conducted in any case involving a current employee or an individual in a contract relationship where a concern for security or safety exists

A. Persons Subject to Background Checks

1. Any applicant as defined above, to include:

   a. Any person conditionally offered employment
   b. Any contractor, sub-contractor or supplier conditionally awarded a service or supply contract with PWE.
   c. Any employee of any such contractor, sub-contractor or supplier who will have access to PWE property, facilities, systems or operations
   d. Any employee who is conditionally offered a change in PWE employment to a position that is security or safety sensitive
   e. Any employee who is disciplined with suspension without pay for violating the Public Works and Engineering violence in the workplace, drug and alcohol, or disruption in the workplace policies
   f. Any employee who provides false information in an official or required report or communication within the PWE Department.
   g. Any employee at any time during their employment.

B. Content of Background Checks

1. Background checks may encompass a minimum of ten years for non-criminal searches, and the maximum time allowed by law for criminal records. Searches will include fingerprint-based criminal history records checks (CHRC) and the following:

   a. Prior employment verification and contacts with previous supervisors

   b. Education verification

   c. Licensing verification

   d. U. S. Citizenship verification, if U.S. Citizenship is required

   e. Motor vehicle record

   f. Social Security number

   g. Reference checks

C. Note: Information received from each source in the investigative process is given individual consideration. Both favorable and unfavorable information is considered before employment with or access to PWE facilities.

D. To the extent that they adversely reflect on the judgment and reliability of an individual, the following items will be viewed as significant in evaluating an

applicant's suitability for employment:

1. Frequent job changes, excessive absenteeism, and erratic occupation sequences
2. Adverse reference or derogatory report from a previous employer
3. Discrepancies in information presented by the applicant as revealed by investigative process

E. Automatic Disqualification. Indicators for automatic disqualification generally include, but are not limited to, any of the following:

1. Material misrepresentation, falsification, or omission of significant information requested on any form used in the employment application, pre-employment screening questionnaire or other inquiries
2. Current use of illegal drugs or current abuse of alcohol or legally or illegally obtained prescription drugs
3. Incarceration within the last five to seven-year period
4. Bad conduct or dishonorable discharge from the Armed Forces
5. Pattern of negligence with respect to civil or criminal law/criminal offenses/conviction of a felony

F. The applicant will be denied employment or access as a contract, vendor, sub-contractor etc if he or she has been convicted in any jurisdiction of any of the following criminal offenses during the time period preceding the CHRC as follows:

	Offense, including conspiracy or attempt to commit	Convicted or found not guilty by reason of insanity	Released from incarceration	Wanted or under indictment
1	Class B Misdemeanor	During 3 prior years	During 3 prior years	Time Period Does Not Apply
2	Class A Misdemeanor	During 5 prior years	During 5 prior years	Time Period Does Not Apply
3	Felony	During 7 prior years	During 7 prior years	Time Period Does Not Apply
4	Immigration violations	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not
5	Terrorism	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not
6	Murder	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply
7	Treason	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not
8	Espionage	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply
9	Sedition	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply
10	Unlawfully carrying of a weapon; or possess, manufacture, transport, repair, or sale a prohibited weapon.	Time period does not apply if explosive involved, otherwise during prior 7 years	Time period does not apply if explosive involved, otherwise during 7 prior years	Time Period Does Not Apply
11	Arson	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply
12	A crime involving a severe transportation security incident	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not
13	Improper transportation of a hazardous material	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply
14	Sexual Assault	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply

15	Kidnapping	Time Period Does Not Apply	Time Period Does Not Apply	Time Period Does Not Apply

G. When a criminal history records check discloses an arrest for any disqualifying crime without indicating disposition, the applicant will be notified. The applicant must provide written notification evidence that the arrest did not result in a disqualifying criminal offense.

H. Any current employee/contractor who is convicted of a criminal offense above may immediately lose authorized access to security sensitive areas and may lose his or her employment with the PWE.

VI. ONGOING ROUTINE CHECKS OF CURRENT EMPLOYEES

A. Driving records will be checked periodically for all employees who drive as part of their duties with the PWE.

Whenever cause is given, backgrounds may be checked.

Subject: COH Contractor Badge Issuance and Access Critical Infrastructure Sites	Department SOP Effective: **Upon Approval**

I. Purpose

The purpose of this SOP is to establish uniform processes and procedures for issuance of COH contractors' badges and access within the Public Works & Engineering Department. (PWE)

II. Scope

This policy applies to all companies/individuals who are contracted to perform work at any COH PWE facilities and supersedes any Divisional policy, procedure, or directive.

III. Policy

Any contractor that has a contract with the COH and will be working at any PWE site for more than 90 days will need to acquire a COH contractor's badge. The COH photo identification office is located at 611 Walker Street in Houston, Texas on the 3rd floor of the annex. For badging information within PWE please contact Tammy Spriggs at (832) 395-5175 or Shandra Jones at (832) 395-5179. Identification cards/access badges will only be issued by the COH once a background check has been completed by the PWE Security Management Section (SMS) for the Contractor or subcontractor employee needing access to critical sites and clearance has been granted.

Any contractor or subcontractor performing work on any PWE site for less than 90 days will not need a COH contractors badge but will still need to go through the COH/PWE background check procedures before being granted access.

Non-Badged Personnel

- Shall provide proof of U.S. Citizenship or work permit such as a Birth Certificate or Resident Alien Card upon request.
- Show a valid unexpired U.S. State issued I.D. or driver's license.
- Submit a "Consent to Release Information" form for their criminal background check.
- Shall provide any other documentation necessary to complete criminal background checks if requested.
- Their company shall provide each Non-Resident contractor or subcontractor employee with a company issued photo ID to include the company name, logo, individual name, occupation, and employee ID#.

- Shall display their "COMPANY" issued photo ID along with their driver's license or state issued I.D. at the entrance gate or when asked by security and/or a COH employee.
- Shall have their unexpired driver's license or state issued I.D. in their possession at all times.
- Shall have their COMPANY issued photo ID displayed free of obstruction while on COH property.

Badged Personnel:

- Shall provide proof of U.S. Citizenship or work permit such as a Birth Certificate or Resident Alien Card upon request.
- Show a valid unexpired U.S. State issued I.D. or driver's license.
- Submit a "Consent to Release Information" form for their criminal background check.
- Submit a "Badge Request Form" to receive their COH contractor badge.
- Shall provide any other documentation necessary to complete criminal background checks if requested.
- Shall display their COH contractor badge at the entrance gate or when asked by security and/or a COH employee.
- Shall have their unexpired driver's license or state issued I.D. in their possession at all times.
- Shall have their COH contractor badge displayed free of obstruction while on COH property.
- The contractor company and the employee will be held responsible for returning all COH contractor badges upon completion of project or termination of employment.
- The COH may file criminal and/or civil charges for failure to return government property.

"All badge processing shall be scheduled ahead of time with Tammy Spriggs at (832) 395-5175."

IV. Compliance

Adherence to the above is mandatory. Any contractor/subcontractor who violates this policy may be subject to being removed from site and not allowed access.