

## EMPLOYEE REFERENCE INQUIRIES

<b>AUTHORITY:</b>	Administrative Directive
<b>RESCINDS:</b>	Procedure Manual Item 1-3-104, dated 12/04/18
<b>FORMS:</b>	None
<b>PURPOSE:</b>	To provide guidelines for responding to inquiries regarding employment or volunteer services.

### I. GENERAL INFORMATION

Inquiries regarding current and former employees come from public/private organizations and government agencies including those employing peace officers. Appropriate review of and response to these inquiries are essential to minimize the Department's exposure to liability. Inquiries related to verifying proof of employment, salary, position and length of service can all be accessed, with the employee's permission, by using **WAGEverify**. The entity requesting the information should be referred to **WAGEverify.com, where they can create an account and obtain the information needed. Assistance is also available by contacting [support@hiretech.com](mailto:support@hiretech.com) or 866-927-5993.** Most employee reference inquiries will be addressed in this manner.

If a current or former, employee or volunteer requests another Probation Department employee to provide references, consult Policy C-26 (Background Investigations / Employment Reference Requests). County time and resources are not to be used in the preparation of these responses. Staff providing such responses must clearly specify they are personal references only and do not reflect the official position of the Probation Department.

### II. PROCEDURE

#### A. Intake Procedure

All written, walk-in, and telephone inquiries for sworn staff will be referred to the Background Investigation (BI) Unit Supervising Probation Officer (SPO). All inquiries from law enforcement and government agencies, including inquiries for sworn, non-sworn, and volunteer staff, will be referred to the BI SPO.

All inquiries regarding qualitative work performance information on current or former employees, or volunteers, will be referred to the BI SPO. Under no circumstances will employees respond to such inquiries without authorization from the BI SPO.

#### 1. Telephone Inquiries

All telephone inquiries requesting employment information will be referred to the BI SPO. At no time will the BI SPO respond to an inquiry over the telephone without prior receipt and review of a signed and notarized waiver to release information by the employee.

2. Written Inquiries

- a. Upon receipt, the BI clerk will review the inquiry to determine its source (i.e., a law enforcement agency) and confirm it includes the employee's signed and notarized waiver to release information. If the inquiry is from other than a law enforcement agency, the BI SPO will review it prior to requesting information from the electronically stored personnel file.
- b. The BI clerk will obtain the background file and give the inquiry and the file to the BI SPO for response.
- c. The BI SPO is responsible for verifying the validity and scope of the waiver prior to responding to any law enforcement agency. All written inquiries will be forwarded to the BI SPO for completion.

3. Walk-in Inquiries (Civilian)

Inquiries requesting information about sworn or non-sworn employees, other than from law enforcement agencies, should be referred back to the employee. The employee can provide information to allow access to the employee verification service (see "General Information" above).

4. Walk-in Inquiries (Investigators for law enforcement, criminal justice, defense, or national security agencies)

- a. Federal, state or local law enforcement background investigators appearing at any Probation Department facility are to be directed to call the BI SPO.
- b. The BI SPO will request the investigator to fax the appropriate waiver and then schedule a time for the investigator to review the background file. On the date of the review, the background investigator will be required to present valid identification and the original or copy of the notarized waiver signed by the employee. The background investigator may be permitted to examine the background file. The background investigator will sign a departmental waiver and be advised that no file copies will be made available, but notes may be taken.
- c. To review the electronically stored personnel file, the background investigator will need to contact Central Human Resource Services at (714) 645-7034 to schedule an appointment to conduct a file review. The background investigator will again need to present the original or copy of the notarized waiver signed by the employee.

B. Responses

1. Law Enforcement, Criminal Justice, Defense/National Security

For these agencies, a more accommodating approach is taken toward the release of information because of concerns for community protection,

welfare of minors, and national security. Candidates for positions in these agencies are typically required to meet high standards of integrity and dependability as well as specific legal criteria.

- a. If, after the background investigator has reviewed the employee's file, a request is made to speak with the employee's current or previous supervisor(s), telephone inquiries/interviews will be arranged. At no time will a supervisor respond to inquiries unless cleared or authorized by the BI SPO. This clearance/authorization will be communicated via email with directions as to the appropriate scope of inquiries and responses.
- b. As a general rule, responses should reflect the work performance as noted in the employee's most recent performance review or will be reflected in a pending review. Any concerns regarding potentially negative responses should be brought to the attention of the BI SPO prior to any telephone interview. Subsequent to the telephone interview, the supervisor will respond to the BI SPO, via email, documenting the content of the interview.

All adverse information pertaining to an employee must be reviewed by the BI SPO prior to conducting the authorized personal/telephone interview.

## 2. County of Orange Agency/Department Inquiries

The County of Orange is the hiring authority for all County agencies/departments. Therefore, deference will be extended to staff from other agencies/departments making inquiries without **notarized** waivers as follows:

- A. All requests for such inquiries must be made through the BI SPO. At no time will a supervisor respond to inquiries unless cleared/authorized by the BI SPO. This clearance/authorization will be communicated via email with directions as to the appropriate scope of the inquiries and responses.
- B. As a general rule, responses should reflect work performance as noted in the employee's most recent performance review or will be reflected in a pending review. Any concerns regarding potentially negative responses should be brought to the attention of the BI SPO prior to **the completion of an inquiry form. Under limited circumstances, the BI SPO may permit a telephone inquiry/interview.** Subsequent to the telephone interview, the supervisor will respond to the BI SPO, via email, documenting the content of the interview.

The BI SPO must review all adverse information pertaining to an employee prior to **completing the inquiry.**

C. Other Inquiries

1. The Background Investigation Unit receives additional inquiries/requests, some of which are initiated by the employee. In each of the following circumstances, supervisors should contact the BI SPO for direction. Examples of additional inquiries/requests are as follows:
  - a. Requests for Graduate School Consideration/References.
  - b. Inquiries in reference to volunteers (the BI SPO will coordinate such inquiries with Volunteer Services staff.)

D. Close Out

Upon completion of the response, the BI clerk will make **a chronological notation and place** copies of all correspondence in the employee's background file.

**REFERENCES:**

Procedures:	1-3-102	Access to Personnel Files (By Person Other Than the Subject of the File)
Policy:	C-11 C-26	Employee Personnel File Background Investigations/Employment Reference Requests

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**APPROVED BY:**