

NAPBS 2010 ANNUAL CONFERENCE

SAN ANTONIO, TEXAS

MARRIOTT SAN ANTONIO RIVERCENTER

MARCH 7-9

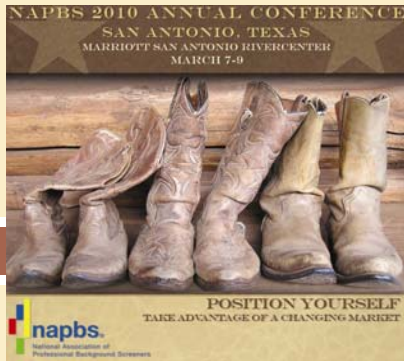


POSITION YOURSELF

TAKE ADVANTAGE OF A CHANGING MARKET



National Association of
Professional Background Screeners



Adjudicating Screening Results for Clients

Indemnification – Indemnification – Indemnification

Adjudicating Screening Results for Clients

□ Indemnification Terms:

- Duty to Defend – at your option
- All Claims Covered
- All Liabilities Covered
- Costs Including Attorneys Fees
- All Expenses, e.g. Expert Fees

Adjudicating Screening Results for Clients

□ Adverse Action Letters:

Does your adjudication duties include sending pre-adverse and adverse action letters?

- Timing – Normal mailing time, holidays
- Email?

Adjudicating Screening Results for Clients

- Standards for Criminal Record Adjudication
 - Blanket disqualifications are a EEOC Violation

Adjudicating Screening Results for Clients

- Proper Use of Criminal Records
 - Nature of Offense
 - Nature of Job
 - Age of Crime

Adjudicating Screening Results for Clients

□ Other Considerations

□ Falsified Application

Does customer supply self-identified records?

□ Pending Charges

□ Repeat Offenders

□ Characterization of Crimes

Adjudicating Screening Results for Clients

- Matrix
 - ▣ Identify Crime Categories
 - ▣ Identify Job Categories
 - ▣ Identify Action To Be Taken

Adjudicating Screening Results for Clients

□ Sample Matrix

CLERICAL GUIDELINES

VIOLENT CRIMES	0-1	1-3	3-7	Over 7	COMMENT
1 st degree murder	N	N	N	R	
2 nd degree murder	N	N	N	R	
Manslaughter	N	N	R	R	
Negligent homicide	N	R	R	Y	
Aggravated Assault	N	N	R	R	
Assault w/deadly weapon	N	N	N	R	
Assault w/dangerous weapon	N	N	R	R	Nature of weapon
Simple Assault & battery	N	R	R	Y	
Armed Robbery	N	N	N	R	
Rape	N	N	N	R	No working alone with gender of victim
Sexual assault	N	N	N	R	No working alone with gender of victim
Child abuse/elder abuse	N	N	R	Y	(no contact with children)
Kidnapping	N	N	N	R	(no contact with children)
Child stealing (parent)	N	R	R	Y	(no contact with children)
Public indecency (not involving children)	N	N	R	Y	(no contact with children)
Contributing to the delinquency of a minor	R	R	Y	Y	(no contact with children)
Disorderly conduct	R	R	Y	Y	

HONESTY	0-1	1-3	3-7	Over 7	COMMENT
Embezzlement	N	N	N	R	
Extortion	N	N	N	R	
Larceny (felony) - car theft (joy ride)	N	N	N	R	
Larceny (misdemeanor)	N	N	R	Y	
Shoplifting	N	N	R	R	
Forgery	N	N	N	R	
Fraud (false Pretence and (I.D.) theft	N	N	N	R	

OTHER CRIMES	0-1	1-3	3-7	Over 7	COMMENT
DUI/DWI	N	R	Y	Y	No job first 7 yrs that might involve driving
False I.D.	R	R	R	Y	
Drug possession	N	R	R	Y	Rehab completed?
Drugs with intent to sell	N	N	N	R	
Cockfighting etc.	R	R	Y	Y	
Campaign laws	N	R	R	Y	
Illegal voting	R	R	Y	Y	
Medicaid fraud	N	N	R	R	
Other laws that regulate conduct or status but to not reflect moral wrongs	R	R	R	Y	

Adjudicating Screening Results for Clients

□ Sample Matrix cont'd

INDUSTRIAL

VIOLENT CRIMES	0 - 1	1 - 3	3 - 7	Over 7	COMMENT
1 st degree murder	N	N	N	N	
2 nd degree murder	N	N	N	R	
Manslaughter	N	N	R	R	
Negligent homicide	N	R	R	Y	
Aggravated assault	N	N	N	R	
Assault/deadly weapon	N	N	N	R	
Assault/dangerous weapon	N	N	N	R	Nature of weapon
Simple assault & battery	N	N	R	Y	
Armed robbery	N	N	N	R	
Rape	N	N	N	R	No working alone with gender of victim
Sexual assault	N	N	R	R	No working alone with gender of victim
Child abuse/elder abuse	N	R	R	Y	(no contact with children)
Kidnapping	N	N	N	R	(no contact with children)
Child stealing (parent)	N	R	Y	Y	(no contact with children)
Public indecency (not involving children)	R	R	R	R	
Contributing to delinquency of a minor	R	R	Y	Y	(no contact with children)
Disorderly conduct	N	N	R	Y	

HONESTY	0 - 1	1 - 3	3 - 7	Over 7	COMMENT
Embezzlement	N	N	R	Y	
Extortion	N	N	R	R	