

Suitability – General Information Guide



District Personnel Instruction No. 4-30

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Retain Until Superseded

Related DPM Chapters

4



NOTE: This instruction supersedes DPM Instruction No. 39-2, Policy for the Mandatory Drug and Alcohol Testing of Employees who Serve Children and Youth (Policy) – Amendment, dated April 28, 2010. As a result, the previously issued guide by way of Instruction 39-2 is to be discontinued and discarded.

Overview

The General Suitability Guide provides procedural guidance on administering the D.C. government Suitability program as outlined in Chapter 4 of the D.C. Personnel Regulations, *Suitability*.

In this Instruction

Using the Guide	1
Additional Information.....	1
Attachment 1 – General Suitability Guide.....	2

Using the Guide

The purpose of the Suitability General Information Guide is to ensure that suitability screenings are carried out in a manner consistent with personnel regulations on general suitability and enhanced suitability checks, in accordance with Chapter 4 of the D.C. personnel regulations, *Suitability*. Upon receiving this guide, you should (1) discard and discontinue the use of prior forms related to suitability based on Chapter 4, *Organization and Personnel Management* and Chapter 39, *Testing for the Presence of Controlled Substances and Alcohol*; and (2) review and familiarize yourself with the new provisions and forms.

Additional Information

For additional information concerning this instruction, please contact the D.C. Department of Human Resources, Policy and Compliance Administration, by calling (202) 442-9700 or by sending an e-mail to dchr.policy@dc.gov.

Ventris C. Gibson, Director

Attachment 1 – Suitability General Information Guide

[Begins on Next Page]



District of Columbia
Department of Human Resources
Suitability General Information Guide



Issue Date: December 14, 2015



Office of the Director

December 14, 2015

Subject: **Suitability General Information Guide**

Dear Human Resources Advisor:

I am pleased to present to you the **Suitability General Information Guide** (*Guide*), compiled by the D.C. Department of Human Resources (DCHR). The *Guide* is designed to provide agency officials and employees with basic information on suitability screening procedures.

The purpose of the *Guide* is to ensure that suitability screenings are carried out in a manner consistent with District of Columbia and federal laws on equal employment opportunity in recruitment, examination, and placement, and in accordance with the revised Chapter 4 of the D.C. personnel regulations, *Suitability*. It replaces all administrative orders, bulletins, forms, and other issuances related to Chapter 4, *Organization and Personnel Management* and Chapter 39, *Testing for the Presence of Controlled Substances and Alcohol*. Information from both chapters have been merged to reflect new suitability requirements and clarify practices as they pertain to the administration of the drug and alcohol program.

An overview of the basic requirements governing suitability screenings for prospective and current District government employees is provided in this *Guide*. Moreover, the guide explains the roles of DCHR staff and the human resources (HR) staff in subordinate agencies who have delegated recruitment and selection personnel authority via Mayor's Order 2012-28. It also provides information on topics such as suitability screening types, evaluating screening results, reporting requirements, and recordkeeping.

Upon receiving this guide, you should **(1) discard and discontinue the use of all forms related to Chapter 4, Organization and Personnel Management and Chapter 39, Testing for the Presence of Controlled Substances and Alcohol; and (2) review and familiarize yourself with the new forms and provisions within this tool kit.**

If you have any specific questions concerning the *Guide*, please contact the Policy and Compliance Administration, DCHR, at (202) 442-9700.

Sincerely,


Ventris C. Gibson
Director

TABLE OF CONTENTS

DISCLAIMER.....	1
GENERAL OVERVIEW	2
Policy Statement	2
Regulatory Authority	2
Covered Positions	3
Purpose of this Guide	3
GENERAL SUITABILITY SCREENING.....	4
Conducting General Suitability Screening.....	4
Past Employment History	4
Educational Background Verification.....	4
License, Certification and/or Training Verification	4
References	5
Assessing the Results of General Suitability Screening	5
Derogatory Information.....	5
General Suitability Determinations	6
ENHANCED SUITABILITY SCREENING.....	7
Enhanced Suitability Screening: Covered Positions	7
Notification	8
Volunteers.....	8
Enhanced Suitability Screening Types	8
Recruitment Requirements	9
Conducting Enhanced Suitability Screening	9
Criminal Background Checks.....	9
Traffic Record Checks.....	11
Consumer Credit Checks	11
Mandatory Drug and Alcohol Checks	11
Collective Bargaining Agreements & Enhanced Suitability.....	11
Assessing the Results of Enhanced Suitability Screening.....	12
Assessing Criminal Histories	12
Assessing Traffic Records	12
Assessing Consumer Credit Checks.....	13
Mandatory Drug and Alcohol Checks	13
Clarifying Derogatory Information.....	14
Enhanced Suitability Determinations.....	14
Unfavorable Suitability Determination	14
Agency Responsibilities.....	15
MANDATORY DRUG AND ALCOHOL TESTING	16

General Overview and Types of Testing	16
Pre-employment and Mandatory Drug and Alcohol Testing	16
Random Drug and Alcohol Testing	16
Reasonable Suspicion Drug and Alcohol Testing	16
Post-Accident or Incident Drug and Alcohol Testing	17
Returned-to-duty and Follow-up Drug and Alcohol Testing	17
Testing Methodology	18
Drug Testing	18
Alcohol Testing	18
Blood Tests	18
Notification Requirements	18
Status Changes and Self-Reporting	19
Agency Responsibilities	19
Training	19
CURRENT EMPLOYEES AND SUITABILITY SCREENING	20
Initial Suitability Screenings for Current Employees	20
Notification of Enhanced Suitability Screening	20
Collective Bargaining Agreements & Enhanced Suitability	20
Recertification of Suitability	21
Criminal Background Checks	21
Traffic Checks	21
Status Changes and Suitability	21
Self-Reporting Arrests and Criminal Offenses	22
Unfavorable Suitability Determinations	22
APPOINTEE, VOLUNTEER, AND EMPLOYEE RIGHTS	23
Individual Rights	23
Requesting to Review Information	23
Appointee and Volunteer Appeals	23
Employee Appeals	24
REPORTING & RECORDS MANAGEMENT	25
Reporting	25
Records Management	25
Exclusions	26
Forms	26
Storage and Handling of Information	26
Fines for Breaching Confidentiality	27
DEFINITIONS	28
APPENDICES	31

DISCLAIMER

This ***Suitability General Information Guide*** was developed to provide general information on suitability procedures for applicants, appointees, volunteers, and employees.

This guide is not intended to replace or substitute any provision of the *District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA) (D.C. Official Code § 1-601.01 et seq.)*, or the *D.C. Personnel Regulations (Title 6 of the District of Columbia Municipal Regulations (DCMR))* contained in the District Personnel Manual (DPM). Each selecting and/or hiring official should consult with the agency's Human Resources (HR) Advisor and/or the D.C. Department of Human Resources (DCHR) on questions regarding any of the topics covered in this guide. The Director of DCHR may revise, delete, or supplement any information contained in this guide at any time at his or her sole discretion.

The District of Columbia Government is an Equal Opportunity Employer. All qualified candidates will receive consideration without regard to race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, matriculation, political affiliation, genetic information, and/or disability. Sexual harassment is a form of sex discrimination which is prohibited by the D.C. Human Rights Act of 1966 (Act). In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

NOTE | Please note that in a unionized environment, it is strongly recommended that HR staff regularly cross-reference the applicable Collective Bargaining Agreement (CBA) for positions represented by a collective bargaining unit, to ensure compliance with any recruitment process provisions present within the CBA. Negotiated labor agreements shall be read to give effect to the provisions of Chapter 4, "Suitability", as referenced in this guide to the fullest extent possible. However, in the case of an irreconcilable conflict, a labor agreement shall control with respect to the specific conflict.

GENERAL OVERVIEW

The District government seeks to maintain a highly qualified and diverse workforce comprised of suitable individuals of moral character and dedication. In alignment with our desire to employ individuals who are committed to carrying out government business in a manner that honors the public trust; enhances the integrity and efficiency of the District of Columbia; and promotes the safety and security of District personnel, residents, visitors, and government property, we have adopted a policy that aims to assess the fitness and suitability of prospective and current employees for District service.

Policy Statement

It is the policy of the District government to assess the suitability of each applicant, appointee, volunteer, and employee through uniform background checks and drug and alcohol testing, as deemed necessary, which meet the District government's need for flexible personnel administration, government accountability, individual privacy, and other constitutionally protected rights. General background checks, criminal background checks, and mandatory drug and alcohol testing shall be utilized to ensure that each applicant, appointee, volunteer, and employee possesses the character and background necessary to enhance the integrity and efficiency of the District government.

Unless otherwise specified in Chapter 4, Suitability, of the D.C. personnel regulations, an employee deemed unsuitable may be reassigned to a non-covered position, for which he or she is qualified and otherwise suitable. If reassignment cannot reasonably be accomplished, is inconsistent with another provision of these regulations, or is determined to not be in the best interests of the agency or the District, the employee shall be subject to immediate removal.

This policy is not applicable to candidates for uniformed positions in the Fire and Emergency Medical Services Department and the Metropolitan Police Department who are covered by pre-employment and selection suitability provisions in Chapter 8 of the D.C. personnel regulations. Additionally, the mandatory drug and alcohol testing program outlined in this policy is separate and apart from the testing program for the presence of alcohol and controlled substances applicable to District government employees who drive commercial motor vehicles or who are candidates for such employment also known as the "*Testing Program of Drivers of Commercial Motor Vehicles*" and implemented pursuant to federal regulations, D.C. Official Code § 1-620.11, and section 3900 of Chapter 39 of the regulations.

Regulatory Authority

The information provided in this guide is pursuant to Chapter 4 of the D.C. personnel regulations, *Suitability*.

Applicability

The contents of this Guide apply to competitive and non-competitive recruitment and selection procedures conducted within subordinate agencies under the personnel authority of the Mayor. *See* Mayor's Order 2012-28, Sub-Delegation and Delegation of Personnel Authority – Director, D.C. Department of Human Resources and Chief of Police, dated February 21, 2012. Because of the Order, all references to “Human Resources (HR) representatives in subordinate agencies” or “personnel authority” throughout this Guide refer either to an HR representative in the DCHR, or HR representatives (or other representatives) in any of the agencies delegated recruitment and selection personnel authority pursuant to Mayor's Order 2012-28, as applicable.

Covered Positions

Each applicant, appointee, volunteer, and employee who applies and is selected for a position must undergo **general suitability screening**. However, individuals who hold or will hold a safety, protection, or security sensitive position, including volunteers, are considered “covered” and are subject to **enhanced suitability screening**.

Purpose of this Guide

The purpose of the *Suitability General Information Guide* (hereinafter shall be “guide”) is to provide information on District government procedures for administering background checks, criminal background checks, and drug and alcohol testing for applicants, appointees, volunteers, and employees in compliance with the District of Columbia Suitability Program (hereinafter shall be “program”). The overall goal of the program is to ensure a safe, secure, drug and alcohol-free work environment, and reduce the potential for accidents and injuries to District government employees and its stakeholders. All appointees, volunteers, employees, and agencies shall comply with the requirements for general and enhanced suitability screening as set forth in this guide.

GENERAL SUITABILITY SCREENING

General suitability represents the minimum standards all applicants, employees, and volunteers must meet to obtain and, in some instances, retain employment with the District government. It includes a review of individual conduct that assesses the ability of an individual to fulfill the duties required of the position. General suitability screening occurs after a preliminary offer of employment is made and during the course of employment as required.

Conducting General Suitability Screening

Subordinate agencies that have been sub-delegated personnel authority should conduct a general suitability screening for all appointees that includes verification of **past employment history** including dates, compensation, titles, duties, performance, and reason for separation; **educational background** including diplomas and degrees; **licenses, certifications, and/or training** (as required for the position); **residency** and **military service** (if a preference is claimed); and at least three (3) **reference checks**. The agency performing the suitability screening must record the date, time, means, and results of such verification.

Past Employment History

The past five years of employment history should be verified for each appointee. If the appointee does not have recent employment history relevant to the position he or she is being appointed to, his or her most recent relevant employment experience(s) can be used to meet verification requirements.

Educational Background Verification

It may be necessary to verify an appointee's possession of a college degree **if education was substituted for experience in qualifying the person for the position or if education is required for the position**. Acceptable methods for the verification of a college degree include obtaining an official copy of the appointee's college transcript, contacting the college/university directly for verification, or using a degree verification website¹ such as www.degreeverify.org.

License, Certification and/or Training Verification

Licenses, certifications, and/or completion of training can be verified by contacting the licensing body or professional association from which the credential was obtained. Information may be verified online through an approved portal authorized by the issuer of the credential or, in some instances, can be verified by obtaining an official copy of the credential from the appointee.

¹ Verifications can be obtained for a nominal fee via major credit card or degree verification account at www.degreeverify.org

References

At least three (3) reference checks should be performed for each appointee to include a reference from their former employer. Personal references may also be utilized instead or in addition to a reference provided by a former employer if it is deemed necessary by the personnel authority. As an example, if an employer has a neutral reference policy and will not rate individual ability and/or conduct such as quality of work, adaptability, or resourcefulness, it would be permissible to obtain this information from a personal reference that can attest to these abilities.

Assessing the Results of General Suitability Screening

Any derogatory information obtained during a general suitability screening must be evaluated by the hiring official to determine whether the individual is suitable for the position for which he or she is applying. If a discrepancy is identified during a general suitability screening, an investigation should be conducted to the fullest extent possible until it is resolved. An individual whose background is under investigation must fully cooperate as a prerequisite for employment with the District government. **When a discrepancy cannot be resolved, it must be presented in writing to the personnel authority who will determine within ten (10) calendar days of receipt of the request** whether the individual is disqualified.

Derogatory Information

When a general suitability screening reveals derogatory information, the agency must notify the individual as to the source, nature, and potential impact of the derogatory information and **allow the individual no less than ten (10) business days and no more than twenty-one (21) calendar days to provide a written response to the derogatory information** or a shorter time period under extraordinary circumstances. The response should include an explanation of any discrepancies, omissions, misinformation, or mitigating circumstances applicable to the derogatory results. If the individual is ultimately deemed unsuitable, he or she will be disqualified from consideration for the position for which he or she is applying. There are **five (5) general explanations that may be used in making a determination of disqualification**.

Table 1: Five Explanations for Disqualification²

1. Delinquency or misconduct in prior employment
2. Dishonest or other conduct of a nature that could undermine the public's confidence in the integrity of the District government
3. Any false statement or the engagement in deception or fraud in connection with the examination or appointment process
4. Evidence of ongoing alcohol or drug abuse
5. Any lawful and articulable reason that is neither arbitrary nor capricious

Considerations. Prior to disqualifying the individual based on derogatory information, the agency must determine whether disqualification is warranted. The agency must make this determination by considering the conduct and/or event related to the derogatory information within the context of the specific duties of the position and should do so by using the factors identified in Table 2.

Table 2: Adjudicating Derogatory Information—General Suitability³

1. The specific duties of the position
2. The bearing, if any, the derogatory information has on those duties and responsibilities
3. The length of time that has passed since the conduct or event(s)
4. The frequency and seriousness of the conduct or event(s)
5. Any mitigating information provided by an individual in response to the derogatory information
6. Whether, based on the totality of information available, the appointee possesses the necessary moral character and dedication to successfully serve the public.

General Suitability Determinations

If the individual is deemed suitable, no further action is required outside of preparing for onboarding. If an individual is deemed unsuitable based on a general suitability screening, then the application process will end and the Agency must notify the individual of the general suitability determination and the circumstances under which they may grieve if they so choose. Applicants may file a grievance with the personnel authority regarding his or her application for employment pursuant to Chapter 16 of the D.C. personnel regulations.

² These are general explanations for disqualification that apply to general suitability. This is not an exhaustive list.

³ These factors should be used to determine the applicability of derogatory information.

ENHANCED SUITABILITY SCREENING

Enhanced Suitability Screening: Covered Positions

In addition to a general suitability screening, appointees, volunteers, and employees are subject to enhanced suitability screenings as dictated by the applicable position. The types of covered positions that are subject to an enhanced suitability screening are categorized in Table 3.

TABLE 3: ENHANCED SUITABILITY COVERED POSITIONS⁴

Category	Description	Duties and Responsibilities ⁵
Safety Sensitive	Positions with duties or responsibilities that if performed while under the influence of drugs or alcohol could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to self or others	<ul style="list-style-type: none"> Operating large trucks, heavy or power machinery, or mass transit vehicles Handling hazardous quantities of chemical, biological or nuclear materials Maintaining the safety of patrons in and around a pool or aquatic area Engaging in duties directly related to the public safety, including, but not limited to, responding or coordinating responses to emergency events Carrying a firearm
Protection Sensitive	Positions with duties and responsibilities that require caring for or ensuring the well-being of children or youth, patients, elders, or other vulnerable persons	<ul style="list-style-type: none"> Coordinate, develop, and/or support recreational activities Manage, plan, direct, and/or coordinate educational activities Provide individual or group counseling Assess, monitor, and/or support childcare activities
Security Sensitive	Positions of special trust that may reasonably be expected to affect the access to or control of activities, systems, or resources that are subject to misappropriation, malicious mischief, damage, or loss or impairment of communications or control.	<ul style="list-style-type: none"> Handle currency Create, delete, and/or alter financial, personnel, payroll, and/or unrelated transactions of another individual Maintain routine access to master building keys and/or controls Create, delete, and/or alter any form of credentials to include computer network credentials and/or any form of government identification Have involvement in or access to homeland security and emergency management plans and information ⁶ Are in the <u>Executive Service</u> Are in the <u>Excepted Service</u> Positions located in secure facilities may be deemed security sensitive at the discretion of the personnel authority.

⁴ Additional information on covered positions can be found in Chapter 4, Suitability.

⁵ This is not an exhaustive list of duties and responsibilities.

⁶ For an additional list of homeland security related duties and responsibilities, refer to Subsection 412.2 of Chapter 4, Suitability.

Notification

The Director of the DCHR (or designee) will publish in the Electronic-District Personnel Manual (or any other electronic procedural manual or manuals developed) positions in subordinate agencies subject to enhanced suitability screening. The position description for each position designated for an enhanced suitability screening will include a statement of such designation and a statement indicating that incumbents of the position are subject to enhanced suitability screening.

Volunteers

Individuals providing volunteer services to the District government are subject to general and enhanced suitability screening. Before a volunteer signs an agreement to perform in a covered position, he or she must be notified in writing of the enhanced suitability screening requirements before beginning volunteer activities and will be subject to ongoing enhanced suitability screening while performing the duties and responsibilities of the covered position. As a condition of an agreement for volunteer service, each individual subject to an enhanced suitability screening will execute an acknowledgement and consent to the screening required by Chapter 4.

Enhanced Suitability Screening Types

The types of enhanced suitability screenings are categorized in Table 4 by the applicable position type.

TABLE 4: SUITABILITY SCREENING TYPES		+ Enhanced Suitability		
		<i>Safety Sensitive</i>	<i>Protection Sensitive</i>	<i>Security Sensitive</i>
Past Employment History (5 Years)	X	General Suitability + Below		
Education (based on position or qualifying factor)	X			
License, certification, or training (based on position or qualifying factor)	X			
References (minimum of 3)	X			
Residency (if a preference is claimed)	X			
Military service (If a preference is claimed)	X			
Reasonable suspicion drug and alcohol test	X			
Post-accident or incident drug and alcohol test	X			
Criminal background check (Pre-employment and Biennial)		X	X	X
Traffic record check (as applicable)		X	X	X
Pre-employment drug and alcohol test		X	X	
Random drug and alcohol test		X		
Return-to-duty or follow up drug and alcohol test		X	X	
Consumer credit check (Pre-employment)				X

Recruitment Requirements

The vacancy announcement and subsequent offer of employment with the District government for a position requiring an enhanced suitability screening, for both competitive and non-competitive recruitment, must state the following:

1. The position for which the individual is applying has been identified and designated as requiring enhanced suitability screening;
2. If tentatively selected for the position, a criminal background check, traffic record check, consumer credit check, and mandatory drug and alcohol test will be conducted (as appropriate); and
3. The appointee to the position may be offered employment contingent upon receipt of a satisfactory enhanced suitability screening

Conducting Enhanced Suitability Screening

Agencies will provide the applicant and/or employee the necessary forms to submit to the program administrator, DCHR, or the vendor for enhanced suitability screening after the conditional offer of employment is made. DCHR or the personnel authority will conduct an enhanced suitability screening for all applicable individuals that may include a criminal background check, traffic record check, consumer credit check, and drug and alcohol testing based on the applicable position type. Any agency subject to the provisions of this guide shall cover the full administrative costs (e.g., personnel fees; FBI card and check fees) of the enhanced suitability screening.

Criminal Background Checks

Individuals who serve in **safety, protection, or security sensitive positions are required to undergo an initial and biennial criminal background check.** The criminal background check includes, but is not limited to, a National Criminal Information Center check, in accordance with the Metropolitan Police Department (MPD) and Federal Bureau of Investigations (FBI) policies and procedures, in an FBI-approved environment by means of a fingerprint. The criminal background check will notify DCHR or the personnel authority if the individual has committed any of the criminal offenses outlined in Table 5.

Appointees with Active Federal Security Clearances. An individual with proof of an active federal security clearance will not be subject to an initial criminal background check, but will be required to show proof of active clearance at the time enhanced suitability screening begins. All federal security clearances will be verified by the DCHR Compliance Department.

TABLE 5: CATEGORIES AND TYPES OF CRIMINAL OFFENSES

Murder Murder Attempted Murder Manslaughter Arson	Assault Assault with a dangerous weapon Mayhem Malicious disfigurement Threats to do bodily harm Domestic Violence	Theft Burglary Robbery Fraud Identify Theft Embezzlement															
Illegal Drugs Unlawful distribution Possession Intent to distribute	Child Abuse Child Abuse Cruelty to children Kidnapping	Firearms Illegal use of a firearm Illegal possession of a firearm															
Internet Computer crime Cyber crime	Sexual Offenses <table> <tr> <td>Sexual Assault</td><td>Corrupting minors</td><td>Indecent Exposure</td></tr> <tr> <td>Molestation</td><td>Incest</td><td>Voyeurism</td></tr> <tr> <td>Rape</td><td>Sexual Abuse</td><td>Sexual Battery</td></tr> <tr> <td>Promoting prostitution</td><td>Compelling Prostitution</td><td>Procuring prostitution</td></tr> <tr> <td>Soliciting prostitution</td><td>Committing sexual acts in public</td><td>Engaging in prostitution</td></tr> </table>		Sexual Assault	Corrupting minors	Indecent Exposure	Molestation	Incest	Voyeurism	Rape	Sexual Abuse	Sexual Battery	Promoting prostitution	Compelling Prostitution	Procuring prostitution	Soliciting prostitution	Committing sexual acts in public	Engaging in prostitution
Sexual Assault	Corrupting minors	Indecent Exposure															
Molestation	Incest	Voyeurism															
Rape	Sexual Abuse	Sexual Battery															
Promoting prostitution	Compelling Prostitution	Procuring prostitution															
Soliciting prostitution	Committing sexual acts in public	Engaging in prostitution															

Authorizing a Criminal Background Check. As a condition of employment, each individual subject to a criminal background check must complete an acknowledgement form consenting to the criminal background checks required under Chapter 4. Each individual will be provided the location of the office where the criminal background check will be conducted, when to report for the check, and all the forms necessary to:

1. Authorize the MPD or another entity, as appropriate, to conduct the criminal background check and confirm the individual has been informed that the employing agency is authorized to conduct a criminal background check.
2. Complete a signed affirmation stating whether the individual has been convicted, pleaded *nolo contendere*, placed on probation before judgment, placed on a stet docket, or found guilty by reason of insanity for any of the criminal conduct or intra-family offenses described in the chart in Table 5 and listed in Chapter 4.

3. Disclose any court actions for an individual for whom a criminal background check is required, excluding acquittals or dismissals resulting from inadequate evidence involving criminal conduct.
4. Acknowledge, in writing, that the individual has been notified of his or her right to obtain a copy of the criminal background check report and to challenge the accuracy and completeness of the report.
5. Acknowledge that the individual may be denied employment, or terminated, based on the outcome of the criminal background check.
6. Provide any additional identification that is required, such as name, social security number, date of birth, and gender.
7. Inform the individual that a false statement on the form(s) may subject him or her to criminal penalties.

Upon receiving and completing the form(s) listed above from the Agency, the individual should report to the designated location to be fingerprinted.

Traffic Record Checks

A traffic record check is based on the individual's traffic record history as maintained by their local motor vehicle administration. Each individual subject to a traffic record check must sign an acknowledgement consenting to the checks required. The Program Administrator is responsible for developing internal operating procedures for conducting the checks.

Consumer Credit Checks

Individuals who serve in **security sensitive positions** are required to undergo an **initial consumer credit check**. Prior to conducting the check, the appointee must complete an authorization to obtain a consumer credit report which will notify the individual of their rights under the Fair Credit Reporting Act.

Mandatory Drug and Alcohol Checks

Individuals who serve in covered positions are subject to pre-employment and/or other types of drug and alcohol testing. For additional information on the specific types of testing for covered positions, refer to Table 4: Suitability Types on page 8 of this guide.

Collective Bargaining Agreements & Enhanced Suitability

DCHR or the personnel authority will review the union status of each employee prior to administering enhanced suitability screening. If an employee belongs to a union, any enhanced screening performed will be conducted in accordance with the collective bargaining agreement. If the procedures in the

CBA differ from those outlined in this guide, DCHR or the personnel authority will follow the procedures noted in the CBA.

Assessing the Results of Enhanced Suitability Screening

Any derogatory information obtained during an enhanced suitability screening must be evaluated by the Program Administrator to determine whether the individual is suitable for the position for which he or she is applying.

Assessing Criminal Histories

The Program Administrator will review the criminal history report and evaluate any derogatory information obtained from an individual's criminal background check to determine whether they are suitable for the position they hold or have applied to occupy. All criminal convictions will be considered when assessing suitability based on criminal history; however, program administrators should determine suitability based on the context of each criminal offense.

Table 6: Considerations for Assessing Criminal History

1. The specific duties and responsibilities of the position
2. The bearing, if any, the derogatory information has on those duties and responsibilities
3. The length of time that has passed since the criminal offense(s)
4. The age of the individual at the time of the criminal offense(s)
5. The frequency and seriousness of the criminal offense(s)
6. Any mitigating information provided by an individual in response to the derogatory information
7. The contributing social or environmental conditions
8. The District's policy favoring re-entry of ex-offenders into its workforce

No individual may occupy a safety or protection sensitive position if he or she has been charged with any felony sexual offense(s) or any sexual offenses(s) involving minors, and for such offense(s): was convicted, pleaded guilty, pleaded *nolo contendere*, placed on probation before judgment, or otherwise placed on a stet docket; was found guilty by reason of insanity; or is currently listed on a sexual offender registry.

Assessing Traffic Records

The Program Administrator will evaluate any derogatory information obtained from a traffic record check and determine whether the individual is suitable for the position for which he or

she is occupying or is applying. The review of the traffic record history shall include checking for the **validity of the individual's driver's license**, a **pattern of disregard for existing traffic regulations**, and **any conviction(s) for driving under the influence of a drug(s) or alcohol**. Individuals in covered positions will have their traffic record reviewed biennially.

Assessing Consumer Credit Checks

An individual may be deemed unsuitable based on (1) or more of the established reasons for disqualification as listed in Table 7.

Table 7: Reasons for Disqualification: Credit Check	
1.	Debts owed to the District Government
2.	Active liens
3.	Current or repeated exhaustion of credit
4.	Bankruptcies and foreclosures
5.	A pattern of late fees or financial activity establishing significant financial stress.

Considerations. Prior to disqualifying an appointee based on derogatory credit information, the program administrator will determine if the disqualification is warranted by considering the financial history of the individual in the context of the information listed in Table 8.

Table 8: Considerations for Assessing Consumer Credit	
1.	The specific duties and responsibilities of the position
2.	The bearing, if any, the derogatory information has on those duties and responsibilities
3.	The length of time that has passed since the reporting of the derogatory information
4.	The frequency and seriousness of the derogatory information
5.	Any mitigating information provided by an individual in response to the derogatory information
6.	Whether, based on the totality of the information available, the individual can reasonably be entrusted with the safety and security of government property and operations and possess the necessary moral character and dedication to successfully serve the public.

Mandatory Drug and Alcohol Checks

An individual who receives a positive drug or alcohol test will be deemed unsuitable for District employment and will be subject to the provisions of Chapter 16, “General Discipline and Grievances” of the District personnel regulations. For information on how drug and alcohol

testing results impact suitability, refer to the Mandatory Drug & Alcohol Testing section of this guide on page 16.

Clarifying Derogatory Information

When an enhanced suitability screening reveals derogatory information, the agency will notify the individual as to the source, nature, and potential impact of the derogatory information and allow the individual no less than ten (10) business days and no more than twenty-one (21) calendar days to provide a written response to the derogatory information or a shorter time period under extraordinary circumstances. This response shall include an explanation of any discrepancies, omissions, misinformation, or mitigating circumstances.

Enhanced Suitability Determinations

The DCHR or program administrators will make a suitability determination within fifteen (15) days of receiving all enhanced suitability screening information necessary to make the determination. The **final suitability determination will establish if a conditional offer of employment should be withdrawn, if an individual is suitable to provide voluntary services, and if an employee may be retained in their current position.** If the individual will or is currently working in a protection-sensitive position for a covered child or youth services agency, the final suitability determination will establish whether they present a present danger to children or youth. Agencies will be notified in writing of the final suitability determination by DCHR or the Program Administrator.

Unfavorable Suitability Determination

Appointees, Volunteers, and Employees deemed unsuitable based on enhanced suitability face various actions including the withdrawal of a conditional offer of employment, dissolution of voluntary service, and termination of employment.

Appointees. If an appointee is deemed unsuitable based on an enhanced suitability screening, any conditional offer of employment will be withdrawn and they will be notified of the final suitability determination. The individual will be disqualified from consideration positions with the same enhanced suitability requirements for up to one (1) year from the date of the disqualification determination, after which a new suitability screening will be required.

Volunteers. If a volunteer is deemed unsuitable for voluntary service, the voluntary service agreement will be terminated and the individual will be notified of the suitability determination.

Employees. If an employee is deemed unsuitable, the employing agency will move the employee to a non-covered position, or if none are available, terminate his or her

employment by immediately initiating the appropriate adverse action procedure as specified in this subtitle or any applicable collective bargaining agreement. Whenever an employee is deemed unsuitable, the facts supporting that determination will initiate an adverse action under Chapter 16 of the personnel regulations. Employees who are separated as a result of a positive drug or alcohol test, a refusal to submit to or follow instructions during a required drug or alcohol test, or who failed to complete counseling or a rehabilitation program after acknowledging they have an existing drug or alcohol problem within thirty (30) days of occupying a safety sensitive position are ineligible for employment in a substantially similar safety sensitive or protection sensitive position for a period of (1) year from the date of their removal or disqualification.

Agency Responsibilities

Agencies will be provided access to DCHR's Quickbase system to track the status of enhanced suitability screenings for candidates and employees. While a final determination may be noted in the system, agencies will also be notified of the final suitability determination in writing. The agency will notify the candidate or employee of any negative outcome or disqualification and provide information on steps they can take to appeal the determination.

MANDATORY DRUG AND ALCOHOL TESTING

General Overview and Types of Testing

The completion of mandatory drug and alcohol testing, although different depending on the position of the employee, is a component of enhanced suitability screening. Mandatory drug and alcohol testing can be administered as a requirement of **pre-employment**, **randomly** as a part of ongoing suitability checks for individuals in safety sensitive positions, for **reasonable suspicion**, in **response to an accident or incident**, and/or upon **return to duty** as a **follow-up**.

Pre-employment and Mandatory Drug and Alcohol Testing

As a condition of employment, **appointees to safety and protection sensitive positions are required to pass a pre-employment drug test**. Additionally, the Program Administrator may also require an appointee to complete a pre-employment alcohol test. A pre-employment drug and/or alcohol test will be conducted after a conditional offer of employment is made, but in advance of the effective date of appointment so that suitability can be established before entry on duty.

Random Drug and Alcohol Testing

Employees who work in safety sensitive positions are subject to random drug and alcohol testing and will be placed in a random drug and alcohol testing pool at time of hire. Each year, fifty percent (50%) of the total drug and alcohol testing pool will be subject to a random drug test and ten percent (10%) will be subject to a random alcohol test. Employees in the drug and alcohol pools will be randomly selected consistent with accepted industry practices. Employees in safety sensitive positions who refuse to consent to random drug and alcohol testing will face immediate separation from the District government.

Reasonable Suspicion Drug and Alcohol Testing

All District government employees, including those in independent agencies, are subject to reasonable suspicion drug and alcohol testing. When a trained supervisor or manager has reasonable suspicion to believe an individual is impaired or otherwise under the influence of an illegal drug(s) or alcohol while on duty, they can refer them to the personnel authority for immediate testing.

Referrals. Referrals to complete immediate drug and alcohol testing are made after a trained supervisor or manager establishes reasonable suspicion by gathering supporting information and facts which may include: **(1) direct observation of drug use or possession while**

on duty, (2) physical symptoms of being under the influence of drugs, (3) symptoms suggesting alcohol intoxication, (4) erratic or atypical behavior consistent with drug and alcohol usage, or (5) any other reliable, articulable, circumstances that would lead a reasonable person to believe the employee is under the influence of a drug or alcohol. When possible, a trained supervisor or manager will obtain a second opinion from another trained supervisor or manager before making the referral. A representative of the agency shall escort the individual to the designated test site for specimen collection.

Post-Accident or Incident Drug and Alcohol Testing⁷

Employees who are **involved in accidents or incidents** will be required to complete post-accident or incident drug and alcohol testing when:

- An on-the-job accident or incident results in an injury to an individual or loss of human life;
- One (1) or more motor vehicle(s) (either District government or private) incurs disabling damage, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle;
- Anyone receives bodily injury which requires immediate medical attention away from the scene;
- An employee operating a government vehicle or equipment receives a citation under District of Columbia or another law for a moving traffic violation arising from the incident;
- There are reasonable grounds to believe the employee has been operating or in physical control of a motor vehicle within the District of Columbia while that employee's breath contains .04 percent or more, by weight, of alcohol, or while under the influence of an intoxicating liquor or any drug or combination thereof;
- The actions of the employee cannot reasonably be discounted as a contributing factor, using the best information available at the time of the decision; or
- The employee is involved in an on-the-job accident or incident that seriously damages machinery, equipment, or other property.

Returned-to-duty and Follow-up Drug and Alcohol Testing

When an employee in a safety or protective sensitive position acknowledges having a problem with a drug(s) or alcohol and completes a counseling and rehabilitation program, they must complete a returned-to-duty and follow-up drug and alcohol test.

⁷ All accidents or incidents of this nature should be reported to the Chief Risk Officer, Office of Risk Management.

Testing Methodology

Drug and alcohol testing will be conducted by a vendor at a testing location determined by the program administrator. In the case of a reasonable suspicion referral or post-accident and incident test, the employee will be escorted by a representative of the agency to the designated test site for specimen collection.

Drug Testing

Generally, testing for drugs will be conducted by urine sample from the individual being tested. The vendor selected to perform the test will split each sample and ensure that the laboratory performed the enzyme-multiplies-immunoassay technique (EMIT) test on one (1) sample and store the split of the sample. A positive EMIT test will be confirmed by the vendor(s) using the gas chromatography/mass spectrometry (GCMS) methodology. The personnel authority will notify the individual in writing if they receive a positive drug test result.

Confirming a Positive Drug Test. If an employee receives a positive drug test, they may authorize the vendor(s) to release the stored sample to another United States Department of Health and Human Services (HHS) certified laboratory of their choice, at their expense, for confirmation using the GCMS testing methodology.

Alcohol Testing

Testing for alcohol use will be conducted utilizing an evidentiary breath-testing device or EBT, commonly referred to as a “breathalyzer”. A blood, breath, or urine test will be labeled “positive” if the test yields a result that the individual’s alcohol content was either .04 grams or more per liters of breath, .04 grams or more per 100 milliliters of blood, or .05 grams or more per 100 milliliters of urine.

Blood Tests

In the event that an individual requires medical care following an accident or incident, medical care shall not be delayed for testing; however, a drug and alcohol test may be conducted by blood test. The personnel authority may not require blood tests to be performed to carry out random drug or alcohol tests.

Notification Requirements

All appointees and employees will be provided a copy of the District’s drug and alcohol policy, and any additional requirements imposed by their agency. The policy will describe the circumstances under which they will be tested, the basic methodology to be used for testing, and the consequences of a positive test result. **Each individual must sign an acknowledgement form stating they received the written policy.**

If the individual is under the age of 18, the legal guardian must sign the form.

Status Changes and Self-Reporting

When an employee occupies a position that becomes designated as safety sensitive, they will have thirty (30) days from the change in designation to self-report any existing drug or alcohol usage to their agency. Upon self-reporting, the employee will be allowed to complete a counseling or rehabilitation program without being subject to adverse or other administrative action. Agencies should provide the employee information on seeking help for an addiction through the District government Employee Assistance Program, INOVA EAP, who can refer them to a licensed care provider or program for treatment. While undergoing treatment, they will be detailed to a position that is not safety or protection sensitive and will be returned to their position upon the successful completion of treatment and a negative returned-to-duty and follow-up test.

Agency Responsibilities

DCHR will conduct an enhanced suitability screening that includes mandatory drug and alcohol testing for all agencies under the personnel authority of the Mayor. Agencies with independent personnel authority that have safety or protection sensitive positions will need to establish a memorandum of understanding (MOU) with DCHR to administer drug and alcohol screenings or contract with a professional testing vendor(s) to conduct required drug and alcohol testing. If an outside vendor is used, the vendor must ensure quality control, chain-of-custody for samples, reliable collection and testing procedures, and any other safeguards needed to guarantee accurate and fair testing in accordance with the procedures in 49 Code of Federal Regulations (C.F.R.) Part 40, and District government procedures, as applicable. The vendor must also ensure that any laboratory used is certified by the U.S. Department of Health and Human Services (HHS) to perform job-related drug and alcohol forensic testing. Any agency subject to the provisions of this guide shall cover the full administrative costs (e.g., personnel fees; FBI card and check fees) of the enhanced suitability screening.

Training

All agencies will be responsible for providing training in drug abuse detection and recognition, documentation, intervention, and any other appropriate topics, for supervisors and managers in agencies with covered employees. Only supervisors and managers who have received training on the reasonable suspicion referral process may make a referral for reasonable suspicion.

CURRENT EMPLOYEES AND SUITABILITY SCREENING

All employees of the District government are covered by the provisions of Chapter 4, *Suitability*, of the District personnel regulations. This means that employees may be required to participate in ongoing suitability assessment activities to recertify their suitability for employment.

Initial Suitability Screenings for Current Employees

All employees of the District government are subject to reasonable suspicion drug and alcohol testing once Chapter 4 goes into effect. Current employees whose positions are designated as **safety sensitive** when Chapter 4 goes into effect are also subject to random drug and alcohol, post-accident or post-incident, return-to-duty, and follow-up drug and alcohol testing. Current employees whose positions are designated as **protection sensitive** at the time these rules go into effect **are not subject to an initial drug or alcohol test**, but are subject to reasonable suspicion, post-accident or post-incident, return-to-duty, and follow-up drug and alcohol tests. Current employees whose positions are designated **security sensitive** at the time these rules go into effect **are not subject to an initial consumer credit check**.

Notification of Enhanced Suitability Screening

The program administrator will notify any individual occupying a covered position that he or she is subject to an initial enhanced suitability screening prior to conducting any such screening. An individual who is occupying a covered position shall be subject to an enhanced suitability screening within forty-five (45) days of the publication in the D.C. Register (DCR) of the notice of rulemaking that establishes the requirement to conduct any such screening. The Director of DCHR, or his or her designee, shall publish positions subject to enhanced suitability screening in the Electronic District Personnel Manual (E-DPM). The position description for each covered position will include a statement of such designation, as well as a statement indicating that incumbents of the position shall be subject to enhanced suitability screening.

Collective Bargaining Agreements & Enhanced Suitability

DCHR or the personnel authority will review the union status of each employee prior to administering enhanced suitability screening. If an employee belongs to a union, any enhanced screening performed will be conducted in accordance with the collective bargaining agreement. If the procedures in the CBA differ from those outlined in this guide, DCHR or the personnel authority will follow the procedures noted in the CBA.

Recertification of Suitability

Employees may be required to periodically recertify their suitability for employment with the District government based on their current role or their placement into a role that is covered by a different type of suitability screening.

Criminal Background Checks

Employees in safety, protection, and security sensitive positions, are subject to a criminal background check on a biennial basis or whenever there is reasonable suspicion that an employee or volunteer has been arrested or charged with a criminal offense as listed in Table 5.

Traffic Checks

Employees who occupy a covered position and drive vehicles for the District government are subject to a traffic check on a biennial basis.

Status Changes and Suitability

If an employee is occupying a covered position with the District government that required a general suitability screening and is currently being considered for a promotion, demotion, reassignment, or appointment to a position that requires general suitability screening, they will not be subject to additional screening if they have occupied a position with the District government for at least one (1) year without a break in service. However, **if an employee is promoted, demoted, reassigned or otherwise appointed to a position subject to enhanced suitability screening, they will be subject to any initial screening required of the new covered position.**

Temporary Promotions. An employee who is detailed, temporarily promoted, or temporarily reassigned from a non-covered position to a covered position must agree to an enhanced suitability screening to the position upon the effective date of the personnel action, and to biennial criminal background and traffic record checks, as appropriate, while detailed, temporarily promoted, or temporarily reassigned to the covered position.

Safety Sensitive Positions. When an employee **occupies a position that becomes designated as safety sensitive**, they will have thirty (30) days from the change in designation to self-report any existing drug or alcohol usage to their agency. Upon self-reporting, the employee will be allowed to complete a counseling or rehabilitation program without being subject to adverse or other administrative action. While undergoing treatment, they will be detailed to a

position that is **not safety or protection sensitive** and will be returned to their position upon the successful completion of treatment and a negative returned-to-duty and follow-up test.

Self-Reporting Arrests and Criminal Offenses

Employees in a covered position must notify their supervisor and the personnel authority whenever they are arrested or charged with any criminal offense. Such notification shall occur within **no more than seven (7) days of the arrest or service of a criminal complaint, or its equivalent, on the employee**. Failure to comply with this subsection shall constitute cause for disciplinary action under Chapter 16 of these regulations.

Unfavorable Suitability Determinations

If an employee is deemed unsuitable, the agency must move the employee to a non-covered position, or if none are available, terminate his or her employment by immediately initiating the appropriate adverse action procedure as specified in Chapter 16 of the DPM or any applicable collective bargaining agreement. Whenever an employee is deemed unsuitable, the facts supporting that determination will initiate adverse action. Employees who are separated as a result of a positive drug or alcohol test, a refusal to submit to or follow instructions during a required drug or alcohol test, or who failed to complete counseling or a rehabilitation program after acknowledging they have an existing drug or alcohol problem within thirty (30) days of occupying a safety sensitive position are ineligible for employment in a substantially similar safety sensitive or protection sensitive position for a period of (1) year from the date of their removal or disqualification.

APPOINTEE, VOLUNTEER, AND EMPLOYEE RIGHTS

Individual Rights

In the interest of transparency, individuals have a right to understand and challenge the sources of derogatory information that results in disqualification for employment with the District government.

Requesting to Review Information

An individual may review information related to an unfavorable general or enhanced suitability determination, which includes copies of public criminal records received from any law enforcement agency, traffic records obtained from their local motor vehicle administration, and their consumer credit report. In order to receive the information, individuals must submit a written request to DCHR **no more than fifteen (15) days after the individual receives notification** that he or she has been disqualified. DCHR will provide the requested documents no more than fifteen (15) days after receiving the request.

Appointee and Volunteer Appeals

If an applicant or volunteer is found unsuitable because he or she presents a present danger to children or youth, he or she may appeal that determination to the Commission on Human Rights (Commission). Appeals must be submitted to the Commission no more than thirty (30) days following the date of suitability determination.

Initiating the Appeal. To initiate the review process, the applicant or volunteer must file a Notice of Appeal, along with a copy of the suitability determination being appealed, with the DC Office of Human Rights within 30 days of the issuance of the agency decision being appealed. The Notice of Appeal should include the individual's name, address and phone number; the name of the agency, address and phone number; the specific objection(s) to the suitability determination; the argument(s) in support of the individual's appeal; and the relief being sought. Any supporting documentation filed with the Commission must be served on both the individual and agency accompanied by a signed certificate of service. Any supporting documentation served on the agency must be delivered by hand or certified mail to the General Counsel for DCHR or to the General Counsel of an independent personnel authority.

Process and Appeal Results. The agency will file an answer to the Notice of Appeal with a certified copy of the suitability record within thirty (30) days from the date the appeal was filed. The Commission will review the arguments of both parties along with the agency record and will issue a decision affirming or reversing the suitability determination no more than thirty (30) days following the filing of the agency's answers and record. The decision issued by the

Commission shall be final and cannot be appealed to any administrative body or court. The Commission may reduce or expand the time limits for the process at its discretion. If the Commission disagrees with the suitability determination, it may make recommendations to the personnel authority who will consider the recommendations and issue a final decision in writing to the individual without further appeal to the Commission or any court. This final decision by DCHR or the independent personnel authority must be in writing and a copy of the final decision must be served on the petitioner. To the extent practicable, the parties may rely on the District of Columbia Superior Court Rules of Civil Procedure for additional procedural guidance.

Employee Appeals

Employees subject to discipline in accordance with Chapter 16 of the D.C. personnel regulations who are deemed unsuitable and separated from employment may appeal that determination with the Office of Employee Appeals (OEA) or, if applicable, initiate a grievance pursuant to a collective bargaining agreement or as outlined in Chapter 16. An appeal must be filed with OEA no more than thirty (30) days following the date of a final agency decision terminating employment. Employees may not appeal to the Commission.

REPORTING & RECORDS MANAGEMENT

Reporting

A subordinate agency head who has delegated personnel authority must provide the Director of the DCHR with the results of each suitability investigation conducted by the subordinate agency prior to the effective date of the appointment of the individual (unless otherwise stated). The program administrator will submit a report on the District government's compliance with the provisions of Chapter 4, *Suitability*, of the District personnel regulations to the Executive Office of the Mayor every six months as provided in Table 9.

Table 9: Compliance Reporting	
Category	Indicator
Positions	<ul style="list-style-type: none"> Number of new hires Number of positions within the agency
Covered Positions	<ul style="list-style-type: none"> Number of safety, protection, and security sensitive positions Difference between number of safety, protection, and security sensitive positions between current and latest report
General Suitability Screening	<ul style="list-style-type: none"> Number of general suitability screenings conducted
Enhanced Suitability Screening	<ul style="list-style-type: none"> Number of criminal background checks, number of derogatory results, type of actions taken (if any) Number of traffic record checks, number of derogatory results, type of actions taken (if any) Number of consumer credit checks, number of derogatory results, and type of actions taken (if any) Number and type of drug tests conducted, number of positive drug test results, and type of drugs detected, type of actions taken (if any) Number and type of alcohol tests, number of positive alcohol test results, and type of actions taken (if any)

Records Management

Any records related to the provisions of this guide, to include sources of information, are confidential and for the exclusive use of rendering a general or enhanced suitability determination. The records will not be released or otherwise disclosed to any person except when:

1. Required as part of the application process, including any appeals to the Commission;

2. Requested by the Mayor, or his or her designee, for the purpose of an official inspection or investigation, including those related to litigation initiated against the District of Columbia;
3. Ordered by court;
4. Authorized by the written consent of the individual being investigated; or
5. Utilized for a corrective, adverse, or administrative action in a personnel proceeding including but not limited to, disciplinary actions under Chapter 16, *Discipline and Grievances*, of the District personnel regulations.

Exclusions

The confidentiality provision does not apply to information of public records, information from personnel records of the District government which can be obtained through a request by the individual, or other sources of information obtained independently (e.g., interviews; written permission).

Forms

Agencies must utilize approved forms published by the DCHR for suitability screenings. All forms related to Chapter 4, *Organization and Personnel Management*, and Chapter 39, *Testing for the Presence of Controlled Substances and Alcohol*, have been retired. The new forms related to suitability and the drug and alcohol program are available online at dchr.dc.gov.

Storage and Handling of Information

DCHR will retain any forms related to enhanced suitability screening. Supporting documents and screening results will be tracked in Quickbase, an encrypted database. Agencies will be provided access to Quickbase to review status updates for ongoing enhanced suitability screenings. Notices related to the final enhanced suitability determination received by the agency should be stored in a confidential folder separate from the OPF for recordkeeping purposes in case of an audit or an appeal. Employees and/or appointees are not permitted to review their enhanced suitability screening results without requesting access to the information in writing within 15 days of receiving a notice of disqualification. Documents related to general suitability screening should be kept in the OPF or confidential file as indicated in the filing instructions on the bottom of each form.

Fines for Breaching Confidentiality

Any individual who discloses confidential records that were received pursuant to the Child and Youth, Health and Safety Omnibus Amendment Act (CYSHA) is subject to criminal penalties to include a fine of no more than \$1,000, imprisonment of not more than 180 days, or both.

DEFINITIONS

Administrative action – official reprimands, suspensions, reductions in grade, or removals under the corrective and adverse action provisions for the Career Service contained in Chapter 16 of Subtitle B, Title 6 of these regulations; and other similar penalties, up to and including removal, for employees in services other than the Career Service.

Adverse Action- a suspension of ten (10) days or more, a reduction in grade, or a removal.

Agency – any unit of the District of Columbia government, excluding the courts, required by law, by the Mayor of the District of Columbia, or by the Council of the District of Columbia to administer any law, rule, or regulation adopted under authority of law. The term agency shall also include any unit of the District of Columbia government created by the reorganization of one (1) or more units of an agency and any unit of the District of Columbia government created or organized by the Council of the District of Columbia as an agency.

Alcohol – for the purposes of Sections 425 through 434, the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols in methyl and isopropyl alcohol, regardless of its packaging form, storage, or utilization.

Applicant – an individual who has filed a résumé or electronic (web-based) application for employment in the District government.

Appointee – a person who has been made a conditional job offer to a position, compensated or voluntary, subject to the satisfactory completion of a general or enhanced suitability screening.

Child(ren) – an individual twelve (12) years of age and under.

Corrective Action- an official reprimand or a suspension of less than ten (10) days.

Covered position – for the purposes of Sections 406 through 440, a position, compensated or voluntary, that is designated as safety, protection, or security sensitive position.

Days – calendar days, unless otherwise indicated.

Derogatory information - any information that detracts from the character or standing of the individual for the position which he or she occupies or for which he or she has applied.

Drug – for the purposes of Sections 425 through 434, an illegal drug for which tests are required under 49 C.F.R. part 40, such as marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates; but not authorized prescription medications.

Elder(ly) – age 65 years or older.

Employee – an individual who performs a service for the District government and receives compensation for the performance of such service.

Finance related – involving access to or control of financial instruments, processes or systems;

Follow-up test – a series of unannounced drug and/or alcohol tests conducted periodically after an employee returns to the workplace upon satisfactorily completing treatment requirements. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

Independent agency – any board or commission of the District of Columbia government not subject to the administrative control of the Mayor.

Personnel authority – an individual or entity with the authority to administer all or part of a personnel management program as provided in Title IV of the Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-604.01, et seq.).

Minors – An individual twelve (12) years of age and under; or between thirteen (13) and seventeen (17) years of age.

Post-accident or post-incident test – for the purposes of Sections 425 through 434, an examination that is administered to a District government employee who, while on duty, is involved in a vehicular or other type of accident resulting in personal injury, property damage, or both, in which the cause of the accident could reasonably be believed to have been the result, in whole or in part, from the use of a drug or alcohol on part of the employee.

Program administrator – the Director of the D.C. Department of Human Resources for agencies subordinate to the Mayor, or his or her designee; or the agency head for independent agencies, or his or her designee (if applicable).

Protection sensitive position – a position with duties or responsibilities caring for or ensuring the well-being of children or youth, patients, elders, or other vulnerable persons, including but not limited to the positions listed in Subsection 411.2 of this chapter.

Random drug or alcohol test – for the purposes of Sections 425 through 434, an examination that is administered to a District government employee in a safety sensitive position, at an unspecified time, for the purpose of determining whether the employee has used drugs or alcohol and, as a result, is unable to satisfactorily perform his or her employment duties.

Reasonable suspicion test – for the purposes of Sections 425 through 434, an examination that is administered to a District government employee based on the reasonable belief by a supervisor that an employee is under the influence of a drug or alcohol to the extent that the employee's ability to perform his or her job is impaired.

Reasonable suspicion referral – for the purposes of Sections 425 through 434, referral of an employee for testing by the District government to determine drug or alcohol usage.

Returned to duty test – a one-time, announced drug and/or alcohol test required as a condition of an employee's return to the workplace upon satisfactorily completing required treatment for substance abuse.

Safety sensitive position – a position with duties or responsibilities which if performed while under the influence of drugs or alcohol, could lead to a lapse of attention that could cause actual, immediate and

permanent physical injury or loss of life to self or others, including but not limited to the positions listed in Subsection 410.3 of this chapter.

Security sensitive position – a position of special trust that may be reasonably expected to affect the access to or control of activities, systems, or resources that are subject to misappropriation, malicious mischief, damage, loss or impairment of control of communication, including but not limited to the positions listed in Subsection 412.3 of this chapter.

Subordinate agency – any agency under the direct administrative control of the Mayor, including but not limited to, the agencies listed in Section 301(q) of the CMPA (D.C. Official Code § 1-603.01(17)).

Substantial evidence – the degree of relevant evidence that a reasonable person, considering the record as a whole, might accept as adequate to support a conclusion of an administrative board or agency, even though other reasonable persons might disagree. Under the substantial evidence rule, the reviewing tribunal will defer to an agency determination so long as, upon an examination of the whole record, there is substantial evidence upon which the agency could reasonably base its decision.

Suitability – the quality or state of being acceptable for District government employment with respect to the character, reputation, and fitness of the person under consideration.

Volunteer – an individual who works with the District government without monetary or other financial compensation.

Vulnerable adult – an individual eighteen (18) years of age or older who has a physical or mental condition which impairs his or her ability to provide for their own care or protection.

Youth – an individual between thirteen (13) and seventeen (17) years of age.

APPENDICES

General and Enhanced Suitability Flowchart

General Suitability Screening Checklist

Authorization for Release of Information

Personal References Questionnaire Form

Pre-Employment Verification Form

Notification of Criminal Background and Traffic Records Check

Criminal Background Check Referral Form

Criminal Background Check Authorization Form

Criminal Background Disclosure Form

Credit Check Authorization Form

Summary of Rights under the Fair Credit Reporting Act

Notification of Requirements: Drug and Alcohol Testing

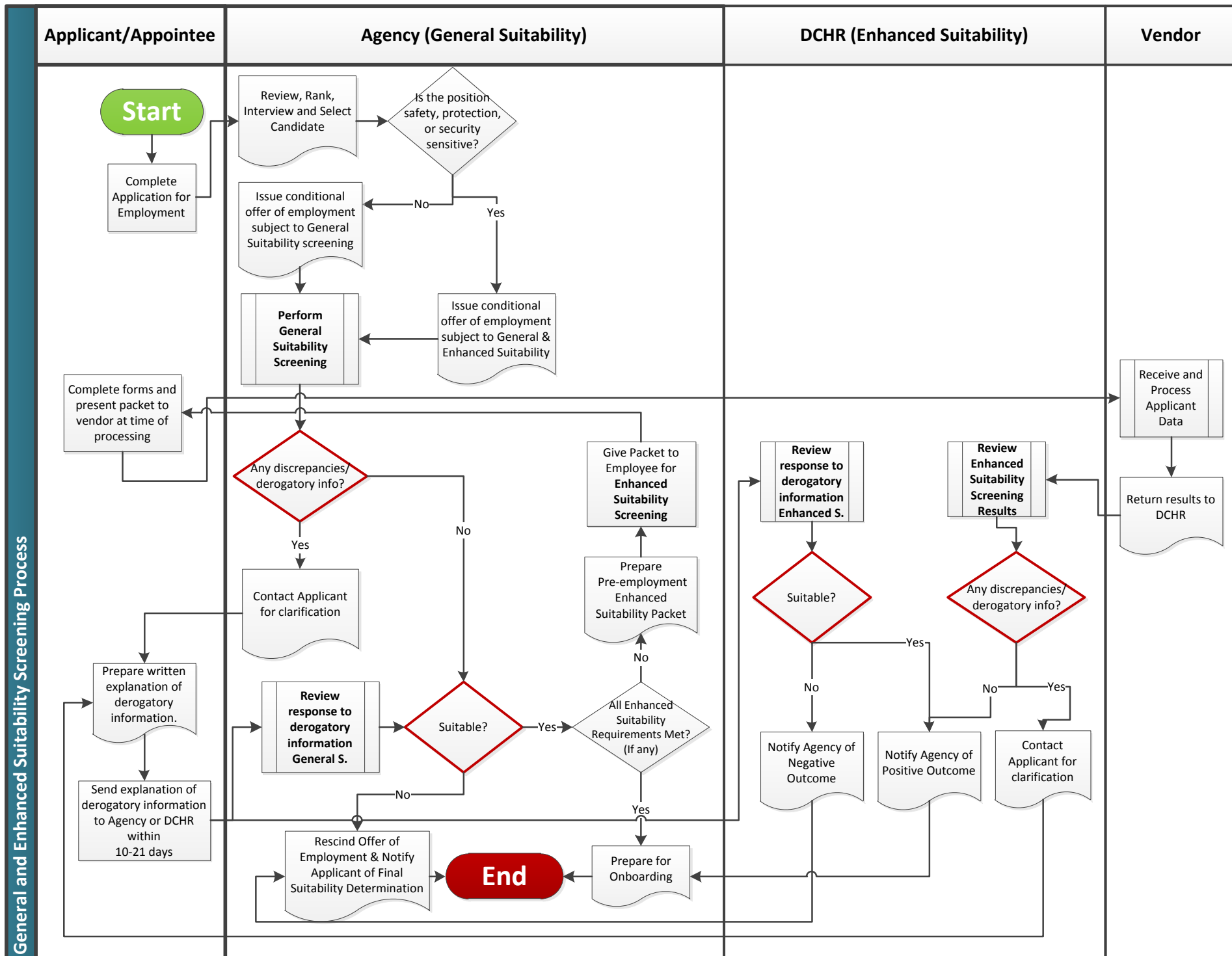
Drug and Alcohol Testing Program Pre-Employment Certification

Criminal Background Suitability Screening Results Notification Letter

Random Drug and Alcohol Testing Notification Form

Sample Letters

- Employment Verification Request
- Temporary Detail to a Covered Position
- Temporary Promotion to a Safety Sensitive Position



Applicant Name: _____ Agency: _____

Position Title/Series/Grade: _____

Salary: _____ Entrance on Duty Date: _____

PART 1: GENERAL SUITABILITY ASSESSMENTS PERFORMED

	Verified	Not Verified	N/A
Employment during the last 5 years	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
References (a minimum of 3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Professional or other type of license (if required or used to qualify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Education (if required or used to qualify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PART 2: DEROGATORY INFORMATION

Were there any discrepancies or concerns with the information received that would impact suitability? If so, what were the concerns? If none, type or write ("No") and proceed to **Part 3: General Suitability Screening Results**.

Was the candidate notified of these concerns? If so, when? _____

How many days was the candidate given to respond to these concerns? _____

When was the response received? _____

Is the candidate disqualified? If so, select the reason(s) for disqualification from below:

- ☐ Evidence of ongoing drug or alcohol use
- ☐ Dishonesty or other conduct that could undermine the public's confidence in the District government's integrity
- ☐ Delinquency or misconduct in prior employment
- ☐ Other (explain below)
- ☐ False statement, deception, or fraud in connection with the examination or appointment process

Describe any concerns with the response from the candidate and/or provide other reasons for disqualification (if any).

PART 3: GENERAL SUITABILITY SCREENING RESULTS

- ☐ **Suitable: The candidate has met general suitability requirements.** Confirm the candidate is not subject to *enhanced suitability screening*, inform the hiring official of the outcome, and arrange for onboarding.

Unsuitable: The candidate did not meet general suitability requirements. Inform the hiring official of the outcome.

- ☐ Notify the candidate in writing of the outcome, rescind the conditional offer of employment, provide them the reasons for disqualification, and information on how to appeal. Keep records in a confidential file/folder under candidate's name.

CERTIFIED BY:

HR Representative (Print) _____

HR Representative (Signature) _____

Date _____

Instructions: Carefully read this authorization to release information about you, then sign and date.

First and Last Name: _____ Date of Birth: _____

Social Security Number: _____ Place of Birth: _____

Home Address: _____

This release, as transmitted to me by a duly authorized representative of the _____ Type DCHR or Employing Agency Here _____ constitutes my consent and authority to the District government to examine and obtain copies, abstracts or records, or receive statements and information regarding my background. Specifically, I hereby authorize the release of the following information or records to a duly authorized representative of the District government agency considering me for employment:

- A. Information about my previous employment during the last 5 years;
- B. Information about my educational background (if relevant to the position tentatively offered to me);
- C. Reference checks from previous employers or personal reference checks;
- D. Professional or other type of license, if it is a prerequisite for the position; and
- E. Any other background information considered necessary by the agency (i.e. professional standing, if relevant to the position tentatively offered to me) provided that the basis for obtaining such information is not arbitrary or capricious.

I give this authorization for the release of the information above in connection with a tentative offer of employment the District government made by the _____ Type DCHR or Employing Agency Here _____. I further authorize the custodians of records and other sources of information pertaining to me to release the information upon formal request. I authorize the release of this information regardless of any previous agreement to the contrary. I understand that the information released by the custodians of records and other sources of information are for official use by the District government, only for the purposes of employment, and that it may be re-disclosed by the District government only as authorized by law or regulation.

I acknowledge that a telephone facsimile, scan, or copy of this release shall be as valid as the original. This release is valid for all federal, state, county, and local government agencies and authorities, and private organizations.

Copies of this authorization that show my signature are as valid as the original release signed by me. I understand that this authorization is **valid for 1 year** from the date signed, or upon the termination of my affiliation with the District government, whichever is sooner.

***NOTE:** Information regarding disclosure of your Social Security Number (SSN) is in accordance with section 3104.3 of Chapter 31 of the D.C. personnel regulations, Records Management and Privacy of Records. Disclosure of your SSN is mandatory to obtain the services and benefits of employment with the District government. The SSN is used as an identifier throughout your District government career. The SSN also will be used by the District government in connection with lawful requests for information about you directed to your former employees, educational institutions and financial or other organizations. The information gathered through the use of the SSN will be used only as necessary in personnel administration processes carried out in accordance with established regulations and published notices of systems of records.

Appointee (Signature)

Date



PERSONAL REFERENCES QUESTIONNAIRE FORM
District of Columbia Department of Human Resources

Applicant's Name: _____

Position for which being considered: _____ Salary: _____

Reference Name: _____ Date: _____

Relationship: _____ Number of Years Known: _____

	Unsatisfactory	Fair	Good	Excellent	Unknown
Quality of Work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Quantity of Work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adaptability, initiative, resourcefulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to get along with Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to get along with Co-Workers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to get along with Subordinates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Technical Knowledge and Skill	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dependability in completing assignments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dependability in attendance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to work under pressure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Personal habits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Supervisory Ability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Number of Employees Supervised	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2-3	<input type="checkbox"/> 4-5	<input type="checkbox"/> 5+

What is your overall assessment of this applicant? _____

Would you employ the applicant for this position? Why or why not? _____

Would this applicant be eligible for rehire? If not, please explain. _____

Any additional information about the applicant you'd like to provide? _____

THANK YOU FOR YOUR REFERENCE! PLEASE RETURN THE COMPLETED FORM TO THE HUMAN RESOURCES SPECIALIST

TO BE COMPLETED BY DISTRICT OF COLUMBIA DEPARTMENT OF HUMAN RESOURCES

Received by (Print): _____ Signature: _____ Date: _____

File the completed Questionnaire in the Employee's **CONFIDENTIAL FILE/FOLDER**

DCSF No. 22 (Rev. 10/15)



PRE-EMPLOYMENT VERIFICATION FORM
District of Columbia Department of Human Resources

Name of Candidate: _____ Agency: _____

Position Title/Series/Grade: _____

Salary: _____ Entrance on Duty Date: _____

Employment Verification (last 5 years or the most relevant)

1. Name of Organization: _____
Employment Dates: (From) _____ (To): _____
Position Title: _____ Salary: _____
Type of Work: _____
Reason for leaving: _____
Performance: _____
Information Provided by: _____ Relationship to Candidate: _____
Verification Date: _____ Phone Number: _____
2. Name of Organization: _____
Employment Dates: (From) _____ (To): _____
Position Title: _____ Salary: _____
Type of Work: _____
Reason for leaving: _____
Performance: _____
Information Provided by: _____ Relationship to Candidate: _____
Verification Date: _____ Phone Number: _____
3. Name of Organization: _____
Employment Dates: (From) _____ (To): _____
Position Title: _____ Salary: _____
Type of Work: _____
Reason for leaving: _____
Performance: _____
Information Provided by: _____ Relationship to Candidate: _____
Verification Date: _____ Phone Number: _____
4. Name of Organization: _____
Employment Dates: (From) _____ (To): _____
Position Title: _____ Salary: _____
Type of Work: _____
Reason for leaving: _____
Performance: _____
Information Provided by: _____ Relationship to Candidate: _____
Verification Date: _____ Phone Number: _____

Education Verification (if used as a substitute for experience or required for the position)

University/College: _____ Type of Degree: _____
Yrs Completed: _____ Completion Date: _____ Major: _____
City/State: _____ Other Relevant Information: _____
Type of Verification: _____ Contact Number (if any): _____

Professional License Verification (if used as a substitute for experience or required for the position)

Type of License: _____ Expiration Date: _____
State of Licensure: _____ License Number: _____
Type of Verification: _____ Contact Number (if any): _____

Miscellaneous Check (optional: professional standing and other inquiries)

All verification documents including correspondence, transcripts, and web printouts should be attached to this document.

INFORMATION VERIFIED BY:

HR Representative (Print) _____ HR Representative (Signature) _____ Date: _____



**INDIVIDUAL NOTIFICATION OF CRIMINAL BACKGROUND
AND TRAFFIC RECORDS CHECK**
District of Columbia Department of Human Resources

To:

Employee/Applicant/Volunteer Name (Print)

Position Title

Agency

Organization Unit

In accordance with Chapter 4 of the D.C. personnel regulations, Suitability, this notice informs you that you have been appointed to, or you currently occupy, either as an employee or a volunteer, a covered position that makes you subject to an initial criminal background check or traffic record check and to periodic checks while assigned. If you are detailed, temporarily promoted, or temporarily reassigned to a covered position, you are also subject to an initial criminal background check or traffic record check and to periodic checks while assigned. Covered positions include: (1) **Safety sensitive**, which are positions with duties and responsibilities which if performed while under the influence of drugs or alcohol, could lead to a lapse of attention that could cause actual, immediate and permanent physical injury or loss of life to self or others; (2) **Protection sensitive**, which are positions with duties or responsibilities caring for or ensuring the well-being of children or youth, patients, the elderly, or other vulnerable persons; and (3) **Security sensitive**, which are positions of special trust that may reasonably be expected to affect the access to or control of activities, systems, or resources that are subject to misappropriation, malicious mischief, damage, loss, impairment, or control of communications. Generally, any position that is subject to the traffic record check requirement is also subject to the criminal background check requirement.

As an appointee, employee, or unsupervised volunteer in a covered position at a District government agency, you are hereby informed that you are subject to criminal background check(s). You are also informed that the information obtained from a criminal background check will not immediately disqualify or create a presumption against your employment or volunteer status unless the Mayor determines that your employment or volunteer status poses a present danger to the public.

The personnel authority must request certain information from you, and provide you with notice and information on the requirement for the criminal background, credit and traffic record checks. The personnel authority will use three (3) forms to provide the required notice and information to you: (1) the **Individual Notification of Criminal Background Check and Traffic Record Check Requirements** which gives you individual notice and general information about the requirement for the checks, (2) the **Disclosure** form which requests information from you about your criminal history, and lastly (3) the **Authorization** form that you will sign to give the District government permission to conduct a criminal background check. You will be asked to sign each of the three (3) forms.

ACKNOWLEDGEMENT

I hereby acknowledge receipt of the **Individual Notification of Criminal Background Check and Traffic Record Check Requirements** form.

Employee/Applicant/Volunteer Name (Print)

Employee/Applicant/Volunteer (Signature)

Date



CRIMINAL BACKGROUND CHECK REFERRAL FORM
District of Columbia Department of Human Resources

The employee/applicant/volunteer must present this Referral Form with a picture identification and a completed Criminal History Request Form (PD-70) to:

Metropolitan Police Department Headquarters

Criminal Records Office
Henry J. Daly Building
300 Indiana Avenue, NW, 3rd Floor, Room 3058
Washington, DC 20001

EMPLOYEE/APPLICANT/VOLUNTEER INFORMATION

Employee/Applicant/Volunteer Full Name (Print)

Social Security Number

E-Mail Address

Telephone Number

Employee/Applicant/Volunteer (Signature)

Date

MPD ACKNOWLEDGEMENT OF RECEIPT

MPD Representative (Print)

Date

FOR OFFICIAL USE ONLY: TO BE COMPLETED BY HUMAN RESOURCES REPRESENTATIVE

Position Title

Agency

Position Type: ☐ Employee ☐ Applicant ☐ Volunteer

Designation: ☐ Safety Sensitive ☐ Protection Sensitive ☐ Security Sensitive

HR Representative (Print)

Telephone Number

HR Representative (Signature)

Date



CRIMINAL BACKGROUND CHECK AUTHORIZATION
District of Columbia Department of Human Resources

Pursuant to Chapter 4 of the D.C. personnel regulations, Suitability, an appointee, employee, or unsupervised volunteer must complete and sign the authorization on this form to authorize a criminal background check.

DECLARATION

I have been informed that the District government agency named on the ***Individual Notification of Criminal Background Check and Traffic Record Check Requirements*** form is subject to and authorized to conduct a criminal background check on me and may choose to deny me employment, a volunteer position, or terminate my employment or volunteer position based on the outcome.

The D.C. Metropolitan Police Department (MPD) or other appropriate entity will conduct criminal background checks in accordance with Federal Bureau of Investigations (FBI) policies and procedures. Traffic record check will be obtained from the traffic records maintained by the District of Columbia and/or my state or local Motor Vehicle Administration. I understand that I have the right to obtain a copy of the criminal background check report and to challenge the accuracy and completeness of the report.

I understand that an appointee or volunteer who intentionally provides false information in the course of applying for a position is subject to prosecution pursuant to the District of Columbia Theft and White Collar Crimes Act (D.C. Official Code § 22-2405 (2012 Ed)).

ACKNOWLEDGEMENT & AUTHORIZATION

I hereby acknowledge receipt of this Authorization Form and authorize the MPD or other entity as appropriate to conduct a criminal background check and traffic check on me as described above.

_____ Employee/Applicant/Volunteer Name (Print)	Male <input type="radio"/> Female <input type="radio"/>
_____ Social Security Number	_____ Date of Birth
_____ Employee/Applicant/Volunteer (Signature)	_____ Date of Acknowledgement

FOR OFFICIAL USE ONLY

Report to: _____ on _____ at _____
Location Date Time (HH:MM) (AM/PM)

By law, mayor's order, and personnel regulations, each employee, applicant and volunteer is required to make an affirmation of his/her entire adult criminal history with respect to the following offenses:

1. Murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, theft, breaking and entering, robbery, or larceny;
2. Assault with the intent to commit any felony;
3. Assault on a police officer, or other government official, without regard to level of sentencing;
4. A violation of narcotic laws, except simple narcotics possession without intent to distribute (misdemeanor) or possession of drug paraphernalia; or
5. A sexual offense, including indecent exposure; promoting, procuring, compelling, soliciting, or engaging in prostitution; corrupting minors (sexual relations with children); molesting; voyeurism; committing sex acts in public; incest; rape; sexual assault; sexual battery; or sexual abuse; but, excluding sodomy between consenting adults.

CRIMINAL BACKGROUND DISCLOSURE STATEMENT

For each of the following questions, indicate either yes or no:

Have you ever been convicted of any of the offenses listed above (items 1-5)?

Yes ☐ No ☐

Have you ever pleaded nolo contendere to any of the offenses listed above (items 1-5) or their equivalent, either in the District of Columbia, or in any state or territory?

Yes ☐ No ☐

Are you currently on probation before judgment or on a stet docket involving a criminal charge for any of the offenses listed above (items 1-5)?

Yes ☐ No ☐

Have you ever been found not guilty by reason of insanity for any of the offenses listed above (items 1-5), or their equivalent, in the District of Columbia or in any state or territory?

Yes ☐ No ☐

I affirm the answers provided in this document are true and accurate. I understand that making a false statement on this document is a criminal offense and that, if convicted, I could be fined up to \$1,000 and imprisoned for 180 days.

Employee/Applicant/Volunteer Name (Print)

Male ☐ Female ☐

Social Security Number

Date of Birth

Employee/Applicant/Volunteer (Signature)

Date of Acknowledgement



CREDIT CHECK AUTHORIZATION FORM
District of Columbia Department of Human Resources

In accordance with the Fair Credit Reporting Act, (Act), approved October 26, 1970 (P.L. 91-508; 15 U.S.C. § 1681), this notifies you that a Consumer Credit Report or Investigative Consumer Report will be obtained on you for purposes of your employment in a security sensitive position.

AUTHORIZATION TO RELEASE INFORMATION

By signing below, I hereby authorize the District government agency considering me for employment in a security sensitive position noted above, to contact any and all credit agencies to release information about my background including, but not limited to, information about my consumer credit history. I release from all liability all persons and companies supplying such information. I further discharge and release the District government against any liability that may result from making such requests. I understand that this credit check is needed in connection with a tentative offer of appointment to a security sensitive position made to me by the _____ Employing Agency _____.

I also acknowledge that I have received a summary of my rights under the Fair Credit Reporting Act and understand that before taking any adverse action based in whole or in part on the report, a copy of the report will be provided to me upon my request along with the name and address of the reporting agency that produced the report. I believe, to the best of my knowledge, that all information I have provided below is accurate, true and correct, and attest that I fully understand the terms of this release.

Employee/Applicant/Volunteer Name (Print)

Social Security Number

Other Name(s) Used (Print)

Date of Birth

Address

Employee/Applicant/Volunteer (Signature)

Date of Acknowledgement

NOTE: Information regarding disclosure of your Social Security Number (SSN) is in accordance with section 3104.3 of Chapter 31 of the D.C. personnel regulations, Records Management and Privacy of Records. Disclosure of your SSN is mandatory to obtain the services and benefits of employment with the District government. The SSN is used as an identifier throughout your District government career. The SSN also will be used by the District government in connection with lawful requests for information about you directed to your former employees, educational institutions and financial or other organizations. The information gathered through the use of the SSN will be used only as necessary in personnel administration processes carried out in accordance with established regulations and published notices of systems of records.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days. In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.ftc.gov/credit.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help (FRCH) P O Box 1200 Minneapolis, MN 55480 Telephone: 888-851-1920 Website Address: www.federalreserveconsumerhelp.gov Email Address: ConsumerHelp@FederalReserve.gov
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6829
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4800
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation, Office of Financial Management Washington, DC 20590 202-366-1308
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051



**INDIVIDUAL NOTIFICATION OF REQUIREMENTS
DRUG AND ALCOHOL TESTING: Safety Sensitive
District of Columbia Department of Human Resources**

To:

Employee/Applicant/Volunteer Name (Print)

Position Title

Agency

It is the policy of the District government to provide a drug free workplace and for all employees to abide by this policy. In accordance with Chapter 4 of the D.C. personnel regulations, *Suitability*, this notice informs you that you have been appointed to, or occupy, either as an employee or a volunteer, a covered position that makes you subject to drug and alcohol testing. If you are detailed, temporarily promoted, or temporarily reassigned to a covered position, you are also subject to drug and alcohol testing while assigned. Covered positions include safety-sensitive positions with duties or responsibilities that if performed while under the influence of drugs or alcohol could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to self or others. **Safety sensitive positions are subject to (1) pre-employment, (2) random, (3) reasonable suspicion, (4) post-accident or incident, and (5) return to duty/follow-up drug and alcohol testing. The position listed above is designated as Safety Sensitive.**

As an appointee, employee, or volunteer in a covered position at a District government agency, you are hereby informed that this District agency is subject to drug and alcohol testing. Thirty (30) days after you acknowledge receipt of this advance written notice, you will be subject to drug and alcohol testing, unless you acknowledge a drug or alcohol problem during the 30-day notification period. An employee who acknowledges a drug or alcohol problem during this period by contacting his/her immediate supervisor, agency HR personnel, or the D.C. Department of Human Resources' Drug and Alcohol Testing Program Coordinator, will be given one (1) opportunity to undergo a counseling and rehabilitation program, and will not be subject to administrative action while completing the program. While an employee is undergoing counseling, they will be removed from performing safety-sensitive duties and the random testing pool.

An employee who fails to disclose a drug or alcohol problem during the 30-day notification period, and thereafter tests positive for drugs and alcohol will be subject to termination of employment. An employee who discloses a drug or alcohol problem upon receipt of this notice, receives counseling and treatment, is returned to duty in his/her covered position, and thereafter tests positive for drugs or alcohol, will be subject to the termination of employment.

Each personnel authority is required to provide you with notice and information on the requirements for drug and alcohol testing at least 30 days in advance of your placement in the program. This notice constitutes your 30-day advance notice of your placement in the District's drug and alcohol testing program. This notice contains two documents: (1) This **Individual Notification of Drug and Alcohol Testing Requirements** which provides you with general information about the requirement for testing and (2) **Frequently Asked Questions** which provide a more detailed explanation of the pertinent issues related to drug and alcohol testing. You are required to acknowledge receipt of both of these documents by signing your name at the bottom of this document.

ACKNOWLEDGEMENT OF RECEIPT

I have read the ***Individual Notification of Drug and Alcohol Testing Requirements*** form and by signing my name below acknowledge that I currently occupy a safety-sensitive position that is subject to drug and alcohol testing and that I have been given a copy of the ***Individual Notification of Drug and Alcohol Testing Requirements*** and ***Frequently Asked Questions***. I acknowledge that if I have a drug or alcohol problem, I am required to disclose my problem to one of the designated personnel noted above and can seek treatment and counseling services. I understand that I may not be subject to administrative action while I complete a program of treatment and counseling, but that I will be removed from my safety-sensitive position until such time that I have successfully completed the program. I also acknowledge that should I test positive for drugs or alcohol thirty (30) days after receipt of this notice or after having completed my treatment program, whichever is applicable, I will be subject to the termination of my employment. Finally, I acknowledge that I have been given a list of referral services for treatment and counseling, contained in the ***Frequently Asked Questions***.

Employee/Applicant/Volunteer Name (Print)

Employee/Applicant/Volunteer (Signature)

Date Acknowledged

Serving Official Name (Print)

Serving Official (Signature)

Date Served



**INDIVIDUAL NOTIFICATION OF REQUIREMENTS
DRUG AND ALCOHOL TESTING: Protection Sensitive
District of Columbia Department of Human Resources**

To:

Employee/Applicant/Volunteer Name (Print)

Position Title

Agency

It is the policy of the District government to provide a drug free workplace and for all employees to abide by this policy. In accordance with Chapter 4 of the D.C. personnel regulations, "*Suitability*", this notice informs you that you have been appointed to, or currently occupy, either as an employee or a volunteer, a covered position that makes you subject to drug and alcohol testing. If you are detailed, temporarily promoted, or temporarily reassigned to a covered position, you are also subject to drug and alcohol testing while assigned. Covered positions include protection-sensitive positions with duties or responsibilities that require caring for or ensuring the well-being of children or youth, patients, elders, or other vulnerable persons. **Protection sensitive positions are subject to (1) pre-employment, (2) reasonable suspicion, (3) post-accident or incident, and (4) return-to-duty drug/follow-up drug and alcohol testing. The position listed above is designated as Protection Sensitive.**

As an appointee, employee, or unsupervised volunteer in a covered position at a District government agency, you are hereby informed that this District agency is subject to drug and alcohol testing. If an appointee has a positive drug or alcohol test, fails or otherwise refuses to submit to a required drug or alcohol test, or refuses to follow instructions given during a required drug or alcohol test, any conditional offer of employment will be rescinded and/or no final offer of employment will be made. An employee will be deemed unsuitable for District government service and subject to immediate separation from a covered position if they have a positive drug or alcohol test. If an employee is deemed unsuitable, the employing agency will move the employee to a non-covered position, or if none are available, terminate his or her employment by immediately initiating the appropriate adverse action procedure as specified in Chapter 16 of the D.C. personnel regulations or any applicable collective bargaining agreement. Whenever an employee is deemed unsuitable, the facts supporting that determination will initiate adverse action under Chapter 16 of the D.C. personnel regulations.

Each personnel authority is required to provide you with notice and information on the requirements for drug and alcohol testing. This constitutes the required notice and contains two documents: (1) the **Individual Notification of Drug and Alcohol Testing Requirements** which provides you with general information about the requirement for testing and (2) **Frequently Asked Questions** which provide a more detailed explanation of the pertinent issues related to drug and alcohol testing. You are required to acknowledge receipt of both of these documents by signing your name at the bottom of this document.

ACKNOWLEDGEMENT OF RECEIPT

I have read the ***Individual Notification of Drug and Alcohol Testing Requirements*** form and by signing my name below acknowledge that I have been appointed to or currently occupy a protection-sensitive position that is subject to drug and alcohol testing and that I have been given a copy of the ***Individual Notification of Drug and Alcohol Testing Requirements*** and ***Frequently Asked Questions***. I also acknowledge that should I test positive for drugs or alcohol during any of the above mentioned drug and alcohol tests, that I will be subject to removal from my covered position and/or termination of my employment. Finally, I acknowledge that I have been given a list of referral services for treatment and counseling, contained in the ***Frequently Asked Questions***.

Employee/Applicant/Volunteer Name (Print)

Employee/Applicant/Volunteer (Signature)

Date Acknowledged

Serving Official Name (Print)

Serving Official (Signature)

Date Served



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Resources



**Policy and Compliance
Administration**

September 10, 2015

Ree Cruiter
Department of Vehicular Services
1234 West Capitol Street
Washington, D.C. 20000

Subject: **Mandatory Drug and Alcohol Testing Program Pre-Employment Certification**

Dear Ree Cruiter:

In accordance with Chapter 4 of the D.C. personnel regulations, "*Suitability*", all appointees to a covered position must successfully complete a pre-employment drug screening prior to performing safety-sensitive duties of the position.

This is to certify that applicant/appointee **Vee Hickie** completed a drug screening on *September 4, 2015* at 2:30 PM and has been deemed **suitable** for further consideration of employment in a safety-sensitive position. This certification is effective *September 9, 2015* and is conditioned upon a favorable criminal background check.

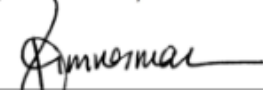
Please note that a negative drug result is valid for thirty (30) days from the effective date. Also, an unsuitable determination means that the applicant may not be considered for a similar or same type of covered position within the District government for a period of one year.



Herbert D. Casey,
Management Analyst

7/27/15

Date



Justin Zimmerman,
Associate Director Policy and Compliance

cc: Department of Vehicular Services, HR Authority
DCHR Administration for Recruitment and Classification
Confidential File



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Resources



**Policy and Compliance
Administration**

November 9, 2015

Ree Cruiter
Department of Vehicular Services
1234 West Capitol Street
Washington, D.C. 20000

Subject: **Criminal Background Suitability Screening Results Notification Letter**

Dear Ree Cruiter:

In accordance with Chapter 4 of the D.C. personnel regulations, "Suitability", appointees to a covered position must successfully undergo an enhanced suitability screening as a condition of employment in a **safety-sensitive** position. **Vee Hickie** authorized a Criminal Background Check, Driving Record Check, and/or Credit Check to be conducted in accordance with these requirements and Federal Bureau of Investigations (FBI) policies and procedures.

This letter serves as notification that applicant/appointee **Vee Hickie** is deemed **unsuitable** for further consideration of employment in a **safety-sensitive** position. As of November 8, 2015 the applicant/appointee **has not** met suitability requirements for the position of **Vehicle Inspection Assistant** with your agency. Please note that an unsuitable determination means that the applicant may not be considered for a similar or the same type of covered position within the District government for a period of one year.

Appointees may appeal this determination by filing a *Notice of Appeal* with the Commission on Human Rights within thirty (30) days from the date of this letter. Employees who are separated from employment as a result of this determination may appeal to the Office of Employee Appeals within thirty (30) days following the date of a final agency decision terminating employment or may initiate a grievance pursuant to a collective bargaining agreement or Chapter 16 of the District Personnel Manual.

If you have any additional questions regarding this matter, please contact the Compliance Review Manager on 202-727-0105.

Certifying Official (Print Name)

XX/XX/XX

Date

Compliance Review Manager (Signature)

cc: «Client» HR Authority
Confidential File





**INDIVIDUAL NOTIFICATION FOR SELECTION
FOR RANDOM DRUG AND/OR ALCOHOL TESTING
District of Columbia Department of Human Resources**

To: <<< Name>>>>>> _____ <<<Position Title>>>> _____
Employee/Applicant/Volunteer Name (Print) Position Title

<<< Agency Name>>>>>> _____ <<<Position Title>>>> _____
Agency Organization Unit

It is the policy of the District government to provide a drug free workplace and for all employees to abide by this policy. In accordance with Chapter 4 of the D.C. personnel regulations, *Suitability*, this notice informs you that you have been appointed to, or occupy, either as an employee or a volunteer, a covered position that makes you subject to drug and alcohol testing. If you are detailed, temporarily promoted, or temporarily reassigned to a covered position, you are also subject to drug and alcohol testing while assigned. Covered positions include safety-sensitive positions with duties or responsibilities that if performed while under the influence of drugs or alcohol could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to self or others. **Safety sensitive positions are subject to (1) pre-employment, (2) random, (3) reasonable suspicion, (4) post-accident or incident, and (5) return to duty/follow-up drug and alcohol testing. The position listed above is designated as Safety Sensitive.**

Your name has been selected for Urinalysis drug testing and/or Breathalyzer alcohol testing by a third party computerized program of random selection. Your selection does not imply that the District Government has a specific cause to suspect you of using illegal drugs. Nonetheless, the District's Drug and Alcohol Policy for Safety-Sensitive Employees requires that the random testing specimen be collected.

Upon receipt of this notice of selection for random testing, you must proceed immediately to the designated collection site for specimen collection.

You have no more than (1) hour from the time of notification to report to the testing site. Failure to report to the testing site as instructed will constitute a failure to test and is subject to disciplinary action up to and including removal. **Please bring a Photo ID with you** for identification at the collection facility.

Testing Site Location: _____

Time to Report By: _____

Type of Test: ☐ Alcohol ☐ Controlled Substance

This employee performs ☐ Full-Time ☐ Part-Time ☐ Seasonal Non-CDL Safety-Sensitive duties.

Note: If you will be tested for a controlled substance, your specimen will be evaluated for the following drugs: Marijuana, Cocaine, Amphetamines, Opiates, and Phencyclidine (PCP)

ACKNOWLEDGEMENT OF RECEIPT

I hereby acknowledge receipt of my selection for random drug and/or alcohol testing.

Employee/Applicant/Volunteer Name (Print) Employee/Applicant/Volunteer (Signature) Date/Time Notified

Issuing Official Name (Print) Issuing Official (Signature)



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Resources



**Policy and Compliance
Administration**

September 3, 2015

ABC Company
1234 North Dakota Street N.E.
Washington, D.C. 20001

Subject: **Employment Verification for Mr. Vee Hickle**

To Whom It May Concern:

Vee Hickle is being considered for employment with our Agency and has listed you or your organization as a former employer. In accordance with the attached release form, please provide us information on his/her performance, including eligibility for rehire, and confirm the below employment information that was provided by the applicant:

Name of Organization: ABC Company
Employment Dates: September 1, 2014 – August 1, 2015
Position Title: Vehicle Operator
Salary: \$15.75/hour
Type of Work: Transportation
Reason for Leaving: Accepted a position with another company.

Please send the verification on company letterhead by email to ree.cruiter@dc.gov or fax to 202-555-1111. We appreciate your time and attention to this matter. If you have any questions, please contact me directly on 202-555-3653.

Sincerely,

Ree Cruiter

Ree Cruiter
Human Resources Specialist





GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Resources



**Policy and Compliance
Administration**

November 2, 2015

Ophen Shutt
1234 North Dakota Ave, N.E.
Washington, DC 20000

Subject: **Notice of Temporary Detail to a Covered Position**

Dear Mr. Shutt:

I am writing to inform you that you are being temporarily detailed as a Lead Security Door Analyst in the Security Door Division of the Department of Openings beginning December 7, 2015. The detail will last for 120 days and is scheduled to end on April 4, 2016. No additional compensation will be provided.

While you currently hold this position in the Doors and Floors Division and are considered non-covered under Chapter 4, *Suitability*, of the D.C. personnel regulations, all positions located in the Security Door Division are considered covered and designated security sensitive because the division is housed in a secure facility. Therefore, you will need to agree to undergo an enhanced suitability screening required for security sensitive positions which includes a criminal background check, traffic record check, and consumer credit check. You may also need to undergo required periodic screenings including criminal background checks. If you elect to undergo the required screening and ultimately are found unsuitable, you will be returned to your current non-covered position and will not be able to work in the same or a similar type of covered position for a period of one year.

Enclosed please find for your signature an affirmation agreeing to undergo the required screenings along with the required paperwork to complete the screenings. A copy of the official personnel action with an effective date of December 7, 2015 will be provided to you upon receipt.

If you have any additional questions, please contact me by phone at 202-555-5555 or via email at etchar.repp@dc.gov.

Sincerely,

Etchar Repp

Etchar Repp
Human Resources Specialist

Notice of Temporary Detail to a Covered Position

Affirmation

By signing below, I agree to submit to any required initial or ongoing enhanced suitability screenings for this security sensitive detail to include a criminal background check, traffic record check, and consumer credit check.

I understand that if I am deemed unsuitable for the position, I will retain my current position and will not be able to apply or work in the same or a similar type of covered position for a period of one year.

Employee (Signature)

Date



**Policy and Compliance
Administration**

November 2, 2015

Vee Hickle
1234 North Dakota Ave, N.E.
Washington, DC 20000

Subject: Notice of Temporary Promotion to a Safety Sensitive Position

Dear Mr. Hickle:

I am writing to offer you a temporary promotion to Lead Motor Vehicle Operations Specialist (CS-12) in the Department of Vehicular Services beginning December 7, 2015. This promotion is scheduled to last for a period of 120 days and, should you accept, you will be compensated at a rate of \$73,867 annually.

While you currently hold a position considered non-covered under Chapter 4, *Suitability*, of the D.C. personnel regulations, the Lead Motor Vehicle Operations Specialist position is covered and designated as Safety Sensitive. If you accept this temporary promotion, you will need to agree to undergo any enhanced suitability screening required for safety sensitive positions which includes a pre-employment drug and alcohol screening, criminal background check, and traffic record check. You will also need to agree to undergo required periodic screenings including random drug and alcohol testing; and criminal background checks for the duration of the assignment. If you elect to undergo the required testing and ultimately are found unsuitable, you will be returned to your current non-covered position and will not be able to work in the same or a similar type of covered position for a period of one year.

If you accept this temporary promotion, please complete the enclosed affirmation and screening paperwork by November 4, 2015. Once you accept, a copy of the official personnel action with the effective date of December 7, 2015 will be provided to you.

If you have any additional questions, please contact me at the information below.

Sincerely,

Etchar Repp

Etchar Repp
Human Resources Specialist

Encl: Affirmation
Enhanced Suitability Forms

Notice of Temporary Promotion to a Safety Sensitive Position

Affirmation

By signing below, I accept the temporary promotion to Lead Motor Vehicle Operations Specialist (CS-12) and agree to submit to any required initial or ongoing enhanced suitability screenings for this safety sensitive position to include a pre-employment drug and alcohol screening, criminal background check, and traffic record check.

I understand that if I am deemed unsuitable for the position, I will retain my current position and will not be able to apply or work in the same or a similar type of covered position for a period of one year.

Employee (Signature)

Date