



State of New Jersey
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
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TAG POLICY LETTER 20-04

20 February 2020

BACKGROUND CHECKS AND FINGERPRINTING

1. **PURPOSE.** It is the policy of the New Jersey Department of Military and Veterans Affairs (DMAVA) to ensure that individuals who work with the clients of DMAVA housed in the Department's facilities receive a pre-employment screening performed prior to hire, which shall include background checks, fingerprinting, a credentials check, and a drug screening.
2. **APPLICABILITY.** This policy applies to every applicant for a position at the Veterans Haven's, Youth Challenge Academy, and Veterans Memorial Homes.
3. **REFERENCES.**
 - a. N.J.A.C. 13:59-1.2, Dissemination for noncriminal justice purposes.
 - b. DMAVA State Personnel Circular No. 10-2, Pre-Employment Screening and Processing, 30 March 2010.
4. **OBJECTIVE.** The purpose of this policy and procedure is to ensure that every applicant for a position at the Veterans Haven's, Youth Challenge Academy, and Veterans Memorial Homes undergoes a rigorous background check to screen for those individuals who are not legally authorized to work in the United States and/or those whose employment may pose a potential detriment to DMAVA residents, clients and other staff members.
 - a. N.J.A.C. 13:59-1.2 authorizes DMAVA to obtain from the State Bureau of Investigation (SBI) all New Jersey criminal history record information from the central repository of SBI for noncriminal justice purposes records of convictions in New Jersey State courts and, regardless of their age, all records of pending arrests and charges for violations of New Jersey laws, unless such records have been expunged pursuant to law for any official governmental purposes, including, but not limited to, employment, licensing and the procurement of services. DMAVA is authorized by this regulation to impose and collect a processing fee from the person for whom the criminal history background check is being processed.
 - b. If an applicant was disqualified from obtaining a position based on a criminal charge, he/she has the opportunity to question the accuracy of the information and provide evidence that the information is incorrect and the steps that the applicant will take to correct the error.

5. RESPONSIBILITIES.

a. **DMAVA Human Resource (HR) Division and Offices** are responsible for the following of all new applicants:

1) **References** – HR personnel will verify all references. Written references, both employment and personal, are requested by mail for all applicants being seriously considered for employment. A release is obtained from the applicant upon completion of the application.

2) **Fingerprinting** – HR will ensure that all applicants for employment have submitted to fingerprinting at the State-authorized vendor for fingerprint screening. This process determines whether the individual has a disqualifying criminal history on the Federal Bureau of Investigation Identification Division, or the SBI database at the New Jersey Division of State Police. Hiring decisions are delayed pending receipt of results.

3) **Form I-9, Employment Eligibility Verification Form** – HR will ensure that a Form I-9 from the U.S. Citizenship and Immigration Services (USCIS) is submitted by the applicant. The USCIS requires all employers to verify that all newly hired employees' present "factually valid" documentation verifying the employee's identity and legal authorization to work in the United States of America.

b. New DMAVA Applicants will submit employment and personal references, be fingerprinted, and complete USCIS Form I-9 during their application process.

The proponent of this Policy is the Office of Employee Relations.
Users shall submit comments and/or suggested improvements directly to:
NJDMAVA, ATTN: OER, P.O. Box 340, Trenton, NJ 98625-0340.



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