

2011 International Forum for Drug & Alcohol Testing Conference

International Background Screening



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Global Workforce Screening Disclaimer



Nothing in this presentation constitutes legal advice or guidance.

Consult your legal counsel regarding any questions of law and how the topics discussed apply to you.

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Top Searched Countries



Most Searched Countries

Australia	Israel	South America
Brazil	Japan	South Africa
Canada	Malaysia	United Kingdom
Chile	Mexico	
China	Nigeria	
France	Pakistan	
Germany	Philippines	
India	Russia	
Ireland	Singapore	

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Top Requested Searches



Most Requested Searches

Criminal

Education Verification

Employment Verification

Driving Record

Credential/License Verification

References

Credit (Financial) Check

Civil Records

Global Workforce Screening Needs Analysis



What type of Screening is needed?

Two Scenarios, Two Very Different Types of Screening

Scenario A – International Background Check

US companies employing individuals who will work in the US, but, have come from, lived or been educated abroad.

Scenario B – Global Screening

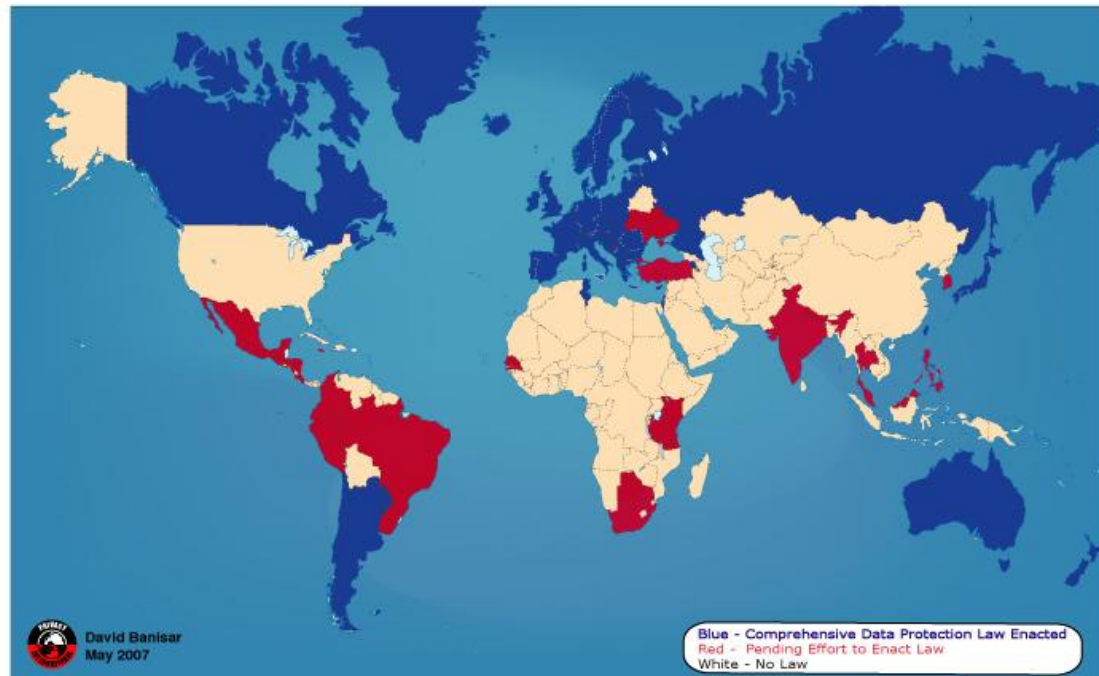
Multi-national corporations who have locations and therefore employees working in other countries.

Global Workforce Screening Data Protection Laws



Expect increase in data protection & privacy laws.

Data Protection Laws Around the World



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International Screening Challenges



- **Privacy Laws**

- Foreign Laws Often Dictate how Information can Be Purchased, Used and Transmitted.
- There is a great deal of activity in this area!

- **Varying Types & Availability of Information**

- Consistency Difficult to Achieve As a Result

- **Language Barriers**

- Varying Naming Conventions/Variations
- Some foreign names cannot be expressed/translated to English
- Reports may have to be translated; also problematic
 - Information/Meaning may be “Lost in Translation”

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International Screening Challenges



- **Cost**
- **Turnaround Time**
- **Required Identifiers May Differ from US**
 - Mother's Maiden Name/Place of Birth
 - Differing expression of dates in Europe (DOB)
- **Risk of Fraud and Corruption**
 - Diploma Mills & Police Departments
- **Differing Monetary Structures**
 - Paying for information may be difficult
- **Political Unrest**
- **Hostility Towards US**

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Case Study: Criminal Searches



International Criminal History Searches

- Many countries offer limited access to “public record” information
- Often more than one Source of Data
- Content between data sources varies significantly (as in the US);
 - Police Check (national), Police Check (local), Court Search
- Depending Upon the Country, the “best source” recommendation will vary
- Police Checks often require a special release
- Some countries will require the applicant to obtain record themselves
- Restrictions on use and transmission of criminal history information
- Apples to Apples Comparisons are Next to Impossible.
 - Each country has its own criminal code and unique structure.
 - Develop expectations by country aligning with company goals
 - Understand that there is no international framework

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Noteworthy Statistics



- By 2010, the foreign-born population was expected to increase to **43 million**, or **13.5 percent** of the total population.
- **Immigrants account for one in eight U.S. residents**, the highest level in 80 years. In 1970 it was one in 21; in 1980 it was one in 16; and in 1990 it was one in 13.
- Overall, nearly **one in three immigrants is an illegal alien**. Half of Mexican and Central American immigrants and one-third of South American immigrants are illegal.
- The largest increases in immigrants were in **California, Florida, Texas, New Jersey, Illinois, Arizona, Virginia, Maryland, Washington, Georgia, North Carolina, and Pennsylvania**.
- Diploma and accreditation mill activity has revealed an astounding **48% increase worldwide** in the number of known diploma and accreditation mills in the past year alone.

Global Workforce Screening Best Practices



- **Establish Global Screening Policy**
 - If the employee will work outside the US, policy should be specific based on the country.
 - In the US, employers should ensure that other country's privacy laws are not being violated. There are many international criminal justice systems that could affect you, including the FTC in the US.
- **Conduct a Legal Review of Authorization Forms**
 - The forms utilized in the US are not sufficient and may violate privacy laws in some countries.
- **Don't assume a check was conducted prior to coming into the US**
 - The checks conducted to obtain a VISA are not always reliable and may not screen for what's important to your organization.
 - Police certificates from other countries vary greatly in terms of process and reliability and may just encompass a local police agency.
- **ALWAYS Vet the Resume!**
 - Verify information provided on the resume. One in four resumes contain false information. Compared to other searches, this is among the easier processes to complete on international applicants.
- **Legal Review**
 - Ensure that the policy for each country has been reviewed by appropriate counsel
 - Ensure updates are conducted as this is an ever changing landscape.



Thank You for Attending!

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