

Case Studies from Express



Background and Reference Checks

These case studies on other companies' background and reference check mistakes can help you avoid similar issues. Many of these negligent hiring situations resulted not only in large financial losses, but in extreme circumstances, the deaths of employees. Take the necessary precautions to ensure this doesn't happen to your company. Contact Express Personnel Services for more information on how you can protect your company.

Negligent Hiring Results in Death

A jury awarded \$5.5 million to the family of a 28-year-old woman slain by an employee who was placed by a staffing company. It was determined that the staffing company was guilty of negligence because it failed to check the references of the temporary worker.

What can we learn from this? It is the duty of the employer (in this case the staffing company) to check references. Since it did not, they were found guilty of negligent hiring. It is important that employers check references on all applicants, and document these actions. Documentation that you at least tried to check a reference could be the best protection against lawsuits of negligence or liability.

Tragic End for Six Employees

An auto parts warehouse employee shot and killed six men, including two owners, in a warehouse where he worked. It was learned later that he was a convicted felon who had 12 convictions, including unlawful use of a weapon, domestic violence and threatening family members with a gun.

What can we learn from this? Obviously a background check into this employee's criminal record would have revealed a pattern of violence. Although there are only certain occupations where federal/state laws mandate background checks, all employers should conduct reference checks and consider conducting criminal background checks to minimize workplace violence, dishonesty, theft and other workplace crimes.

Criminal Checks Imperative in Some Industries

A company failed to conduct mandatory criminal background checks on employees who provided companion care in the homes of aged and ill clients. It was later discovered that in at least two cases the company hired workers with criminal histories. One of these workers stole the credit card of an elderly woman placed in her care and stole an expensive ring belonging to another client. The employer was found responsible and was forced to pay nearly \$18,000 in restitution, fines and penalties.

What can we learn from this? It is important to conduct thorough reference and background checks on applicants to demonstrate due diligence in protecting your company from negligent hiring claims. This is especially important in industries that are mandated by state/federal law.



www.expresspersonnel.com



Case Studies from Express



Background and Reference Checks

Verify Information

A nurse's aide trainee was arrested for striking and groping a 92-year old patient. The employee had a lengthy criminal history which involved several stabbings, driving while intoxicated, child endangerment and beating a pet to death. The employee had even served a three-year sentence for first degree assault but made no mention of the convictions on the job application.

What can we learn from this? Checking references and conducting background checks on potential employees can help verify the information that is provided during the interview process, allowing you the opportunity to detect falsified information.