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The Record  
**BUSINESS**

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ASK A LAWYER

**Background checks for new hires are a must**

**Do we need to conduct background checks before hiring?**

Selecting the wrong person can have terrible financial consequences, especially considering how expensive it is to train new employees and how litigious former workers can be concerning their terminations.

Another reason why all employers should conduct background checks is to avoid negligent hiring claims. Such an assertion can be made by an employee who is harmed by someone else the employer hired when the

company should have known he is dangerous. For example, an employer will be liable for negligent hiring if he fails to conduct a background check before hiring someone who has a criminal record for sexual assault and that person subsequently sexually harasses or molests another employee at work.

In addition, an employer should take care to retain a reputable company to perform background checks on all potential new hires. Many background-check services provide outdated or incorrect in-

formation, or miss important facts. Searches should cover such things as state and federal criminal convictions, civil judgments, lawsuits, bankruptcy records, credit status (with the applicant's written consent), tax liens, professional licenses, sex offender information and aliases.

Employers also should have legal counsel review their job application forms to ensure compliance with various employment laws. Be thorough when "checking out" an applicant. The costs and legal exposure are too great not to.

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