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## PRESIDENT'S COMMENTS

There are two words that have been devastating to many businesses and can cost your business millions of dollars. Those two words are NEGLIGENT HIRING. Today, a growing number of employers are being sued for "negligent hiring," because they did not check carefully enough into the background of a potential employee. If an employee injures another employee or customer, the employer may be held liable. If an employee has direct access to a company's computer system or its products, the employer can lose millions in real products and dollars. That is why the trend for today's companies is to perform more background checks than ever before. While court decisions vary from state-to-state, generally, three conditions are needed to sustain a claim of negligent hiring:

1. The employee was unsuitable for the position for which he or she was hired. Unsuitable can be interpreted to mean not only that the employee lacks credentials and skills, but that the employee's background makes that person unsuitable.
2. The employer knew or should have known of the employee's unsuitability, but hired that person anyway. There is no universal agreement on how much effort or expense constitutes due diligence in attempting to verify suitability.
3. The employee was able to inflict injury on a person as a direct result of the employee's job description, because it was primarily through the employee's job that contact with the victim was established.

The complaint will typically try to prove his or her case by showing that the employer failed to properly investigate the background of its employee prior to making a judgment as to the employee's fitness for the job.

The depth and scope of the pre-employment background screening is generally dependent on the nature of a firm and the position to be filled. Typically, the person responsible for hiring personnel performs a cursory screening. While this is a wise first step and an inexpensive option, this screening process is only useful in verifying information volunteered by the applicant that is public record. Rarely does the personnel professional have the in-house capability to verify: employment history, residence, educational background, workers' compensation record, driving record, credit history, and absence or presence of statewide felony convictions. Each and every one of these areas can play a major role in the way an employee performs on the job and with co-workers.

Logically, advancements in the information age account for an increase in pre-employment background screenings because there exists readily available access to computer databases containing millions of records of personal data. As the cost of performing searches drops, employers are finding it feasible to conduct pre-employment screenings.

An employee who comes into a job under false pretenses is the wrong person in the wrong job. Falsification suggests a dangerous character defect. The lack of appropriate qualifications may also mean the individual is not competent for the task. Neither is a problem an employer can afford to ignore.

It is interesting to note that the Federal Bureau of Investigation recently released the two most common causes of death in the workplace today as motor vehicle accidents and homicide. As a member of the Illinois Chamber of Commerce, we urge you to realize the costs associated with negligent hiring – and we invite you to make use of pre-employment screening program sponsored by the Illinois Chamber and provided by IDENTI-CHECK, INC. IDENTI-CHECK, INC. is licensed by the Illinois Department of Professional Regulation and is skilled at assisting a variety of business types. More than 52 percent of

job applications and resumes are falsified or exaggerated – and education is misrepresented more than 80 percent of the time. For both your business and your employees, pre-employment screenings are a must. By doing this, it is possible to thoroughly investigate the backgrounds of your prospective employees – a measure you cannot afford to pass up.