

Executive Order No. 1-05

Background Investigations

WHEREAS, Background Investigations of all prospective City employees will enhance the City's ability to ensure that City employees are well qualified, have a strong potential to be productive and successful, are likely to comply with the requirements of a position of trust, and have honestly presented their background and qualifications to the City; now therefore,

I, JOHN F. STREET, by the power vested in me as Mayor of the City of Philadelphia under the Home Rule Charter, do hereby order as follows:

SECTION 1. Background Investigation Questionnaires

1. The head of every department, agency, board, commission or office, through its Human Resources Manager, shall provide to every person offered employment in the department, agency or office (whether civil service or exempt) a Background Investigation Questionnaire, the form and content of which shall be prepared by the Personnel Director and Inspector General. This requirement shall also apply to all persons promoted from Civil Service to Exempt status.

(a) The Questionnaire shall seek such background information on the applicant as the Personnel Director and Inspector General advise is appropriate to perform an adequate background investigation for the particular employment at issue. Such information shall include in all cases, but need not be limited to:

- (i) All prior names used by the applicant.
- (ii) All addresses used by the applicant currently and for the preceding ten years.
- (iii) Date of birth
- (iv) Social Security Number
- (v) Driver's license number and State of issue
- (vi) Highest education completed at the high school level or above
- (vii) Previous employment history for a minimum of three years

(b) The Questionnaire shall also seek information necessary to perform a credit investigation on the applicant, where the appointing authority or his/her designee, with the approval of the Personnel Director or the Inspector General, deems it necessary. In making such determination, the appointing authority or his or her designee shall consider the level of sensitivity of the position, including but not limited to the level of fiscal, security or safety responsibility.

(c) The Questionnaire shall also require the prospective employee to authorize the release of such personal data (other than data the mandatory release of which would be prohibited by federal or state law, e.g., personal medical history) as the Personnel Director or the Inspector General advises is necessary to perform a background investigation sufficient for the needs of the particular employment.

2. Each appointing authority shall require, as a condition of employment (whether civil service or exempt) that the prospective employee fully, truthfully and timely complete the Background Investigation Questionnaire to the satisfaction of the Personnel Director or the Inspector General.

(a) Each department Human Resources Manager shall inform each job applicant who has been offered employment that the Questionnaire must be completed and returned to the Human Resources Manager prior to the start of the employment

3. Each department Human Resource Manager shall provide to the Office of Inspector General or the Personnel Director, a copy of every completed Background Investigation Questionnaire.

SECTION 2. Performance of Background Investigation

1. The Office of the Inspector General ("OIG") or the Personnel Director, or their designee contractor, shall perform such background investigation, based on the completed Questionnaires, as the OIG or Personnel Director deems appropriate. The OIG or Personnel Director, or their designee, shall complete the investigation and return the results to the Departmental Human Resources Representative within five days of receipt of the applicant information where no derogatory information is uncovered. In the event that derogatory information is developed it must be resolved within 10 days by the employee, who must contact the contractor directly. The contractor will subsequently advise the Department Human Resources Manager of the results. Nothing in this Section, however, shall preclude the Director, the Inspector General or their designee, or the City from completing a background investigation after the expiration of 10 days.

2. The OIG, or the Personnel Director or their designee, shall report the results of any investigation to the appropriate Human Resources Manager, or appointing authority, as appropriate.

SECTION 3. Use of Background Investigation Reports

1. The appointing authority shall use the investigation report, along with any and all other relevant information, to make a final employment decision, in accord with existing City job requirements and eligibility criteria. Nothing in this Order, other than the requirement to completely, truthfully and timely complete the Background Investigation Questionnaire and to waive appropriate confidentialities, is intended to create any new or additional eligibility criteria or requirements for any City job.

2. Each departmental Human Resources Manager, the Personnel Director and the OIG shall take all necessary steps to segregate the responses to the Questionnaire and the results of the Investigation in a separate file, to be kept confidential and not to be released or shared other than for lawful purposes, after consultation with the OIG or the Personnel Director.

Date: _____

1/20/05

JOHN F. STREET, Mayor