



# Individualized Assessment User Guide

Sterling | June 2021

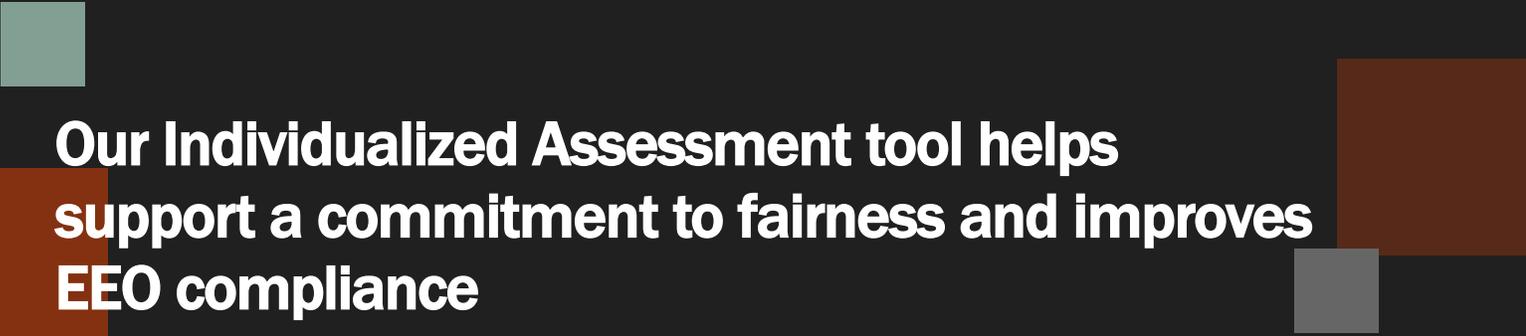


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# Our Individualized Assessment tool helps support a commitment to fairness and improves EEO compliance

At Sterling, we've made it our mission to provide the foundation of trust and safety our clients need to create great environments for their most essential resource, people.

We also understand that keeping up to date with rapidly changing Individualized Assessment regulations can be challenging and time-consuming. Our flexible technology-enabled compliance tools and centralized processes can help you save time and minimize risk.

## HOW STERLING IS DIFFERENT

- **Commitment to Fairness.** Our Individualized Assessment tool helps you evaluate past criminal convictions in a fair, consistent way that reflects an inclusive company culture.
- **Help with EEO Compliance.** Sterling's technology helps you document that exclusions due to criminal conduct are both job-related and align with state, local and/or EEOC guidance.
- **Trusted Expertise.** Sterling's in-house compliance experts monitor new laws and regulations to stay up to date as changes take effect.

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## Sterling's Individualized Assessment Tool

The Equal Employment Opportunity Commission (EEOC) recommends employers provide candidates the opportunity to explain past criminal convictions uncovered during the background screening process by allowing them to provide details related to an offense and potential mitigating factors they would like the employer to consider, to demonstrate that they should not be excluded from a position based on past criminal conduct. Some states and local jurisdictions have similar requirements.

Configured within the Adverse Action process, Sterling's Individualized Assessment tool is designed to address the EEOC's guidance as well as state and local laws on consideration of criminal records and help you minimize the risk of claims of employment discrimination during the hiring process. If a criminal record is the reason for a candidate's potential disqualification, an Individualized Assessment task will be sent to the candidate. If the candidate completes the Individualized Assessment task by providing information, you will receive a notification. You will then have an opportunity to review the responses and decide on next steps, and whether to proceed with or cancel the Final Notice of Adverse Action.

## Launching Individualized Assessment

If you have Individualized Assessment enabled with your Sterling account, the Individualized Assessment form launches after the Pre-Adverse Action Notice is sent when a criminal record is the reason for potential disqualification. This service can only be ordered and accessed from the Order Manager.

To begin, select **Initiate Pre-Adverse Action** from the Order Manager.

**Smith, Jessica Ann #1800045521**
Order Status: **Complete**
Order Result: **Level3**
✕

Searches
Attachments

This is an interactive view of the candidate results, not the final report. Access the final report by clicking **Export** at right.

Initiate Pre-Adverse Action

Client Status: Needs HR review ✎

▼ Important Disclosures

**Candidate Information**

First Name	Address	Account Name	Add Ons
Jessica	1234 Chelan, WA 98816	RACHEL TEST ACCOUNT	SVCCMP - Managed Compliance
Middle Name	Email	Created Date	LOCATION
Ann	Jessicatest@test.com	11/12/2020	—
Last Name		Completed Date	HIRE CODE
Smith		11/12/2020	—
		Screening Package	
		Criminal Only	

**Order Information**

**Report Summary**

Search	Identifier	Status	Result
SSN Trace	XXX-XX-3636	Complete	<b>COMPLETE</b>
County Court Search	Smith, Jessica Ann, WA-CHELAN	Complete	<b>CONSIDER</b>
Federal Court Search	Smith, Jessica Ann, WA-EASTERN DISTRICT	Complete	<b>CLEAR</b>
Managed State Compliance	Smith, Jessica Ann, 1234	Pending	ETA 11/17/2020

You will be required to enter the candidate's Location of Employment and select the reason for potential disqualification.

When your reason for potential disqualification is related to a candidate's criminal conviction/record/history, a new section will display under the reason for potential disqualification section called **Individualized Assessment**.

The Pre-Adverse Action confirmation page will confirm that individualized assessment is included and that Pre-Adverse Action that was initiated.

**Order # 1800960150** Smith, Tammy Jean  
 Order Status: Complete  
 Order Result: **LEVEL3**

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**Candidate Information** \* required

Street Address \*  
1234

Location of Residence \*  
Seattle, WA

Zip Code \*  
98116

Location of Employment \*  
Austin, TX, US

Email Address \*  
iademo1234@test.com

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Select Reason(s) for Potential Disqualification

Only the product name and search information will appear on the Pre-Adverse Action and Final Adverse Action notices. Your candidate will also be provided a copy of the report with all search-level details.

**NOTE for Illinois applicants/employees:** Only the product name, the applicant identifiers and jurisdiction are populated by this section. You must use the Additional Comments field below to add the specific criminal conviction(s) in question and the rationale for your decision.

County Court Search--Smith, Tammy Jean, WA-KING CONSIDER

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**Individualized Assessment**

This report has an Individualized Assessment task which the candidate has the option to complete.

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**Additional Comments**

Please note: Per your account settings, any additional comments entered below will be visible on the pre-adverse and/or final adverse action notice sent to the candidate.

**NOTE for Illinois applicants/employees only:** Use the Comments field below to include the specific criminal conviction(s) and case details that are the basis for the preliminary decision and the reasoning for potential disqualification that indicates either:

- (1) A substantial relationship between one or more of the previous criminal offenses and the employment sought or held, or
- (2) The granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

A "substantial relationship" means a consideration of whether the employment position offers the opportunity for the same or a similar offense to occur and whether the circumstances leading to the conduct for which the person was convicted will recur in the employment position.

Comments

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Indicate the name to use on the signature line of the notice(s). Some employers prefer to use a person's name, while others use general terms such as "[Your Company] Management."

Signature \*  
Client Hub

---

**Note**

The pre-adverse and final adverse action processes will be completed electronically. Notices will be delivered to the candidate email address shown above.

**Send to Candidate** ↑

## The Candidate Experience

The candidate will receive notice of Individualized Assessment at the same time as the Pre-Adverse Action task, along with a copy of their background report.

**Please note:**

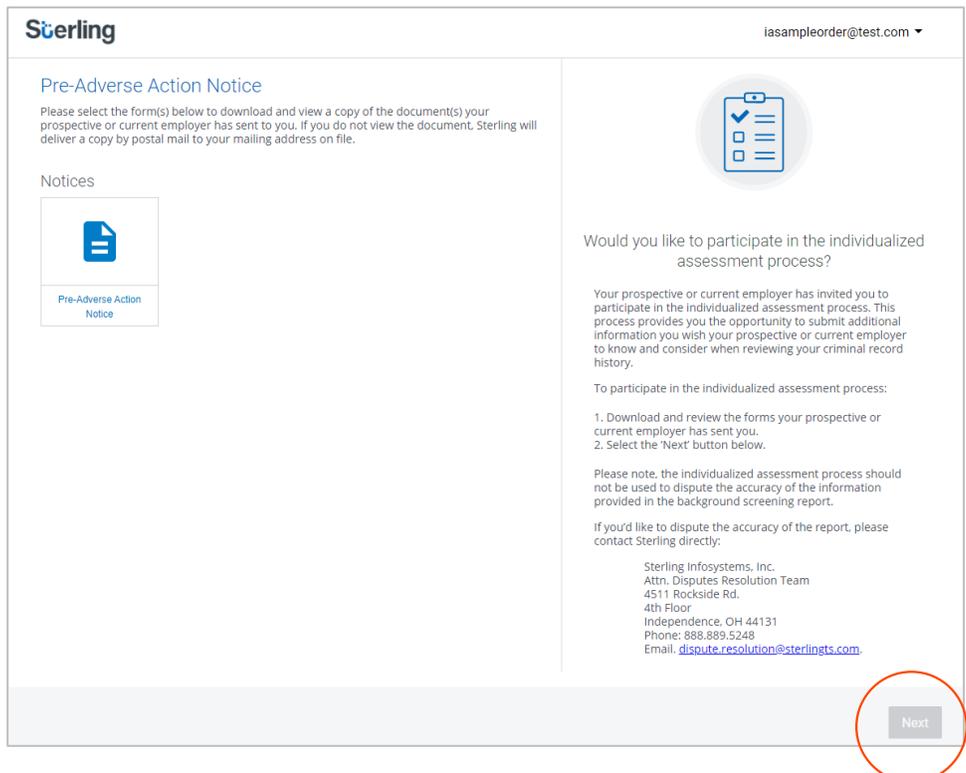
- The candidate will receive an email notification inviting them to log into the Candidate Hub. Within the Candidate Hub, both the Pre-Adverse Action, and Individualized Assessment tasks can be accessed.
- The Individualized Assessment task will remain accessible until the final Adverse Action letter is sent.
- Completing the Individualized Assessment process is optional for the candidate.

After logging into the Candidate Hub, the candidate will see the Pre-Adverse Action task and be able to select the **Start** button within the Activity Center.

While reviewing the Pre-Adverse Action notice, the candidate will see new instructions are provided on the right of the pre-adverse page describing the individualized assessment process.

To participate, the candidate will select the **Next** button. This button will only activate after the candidate has viewed the Pre-Adverse Action Notice that you sent them.

The candidate can use this button to go back to the Activity Center to complete the download of their Pre-Adverse Action notice.



The Individualized Assessment page will display the following information to the candidate:

### Reason for Potential Disqualification

Displays the same criminal reason for potential disqualification that you selected at the time Pre-Adverse Action was initiated.

### Search Level Details

The candidate will be able to access the search level details from the report for that selected item.

### Text Box

The candidate can provide a response to clarify their criminal history information.

### Factor to Consider

Guidance to assist the candidate in completing the Individualized Assessment.

### Document Upload

A method to upload supporting documentation.

**Sterling**
iasampleorder@test.com ▾

#### Individualized Assessment Process

Your prospective or current employer performed a background check as part of an offer of employment or continued employment.

The below record/s are being reviewed and considered by your prospective or current employer in regards to your offer of employment and/or your continued employment.

●
County Court Search - Jones Jessica - CHELAN, WA

#### County Court Search - Jones Jessica - CHELAN, WA

Requested 10/16/2020 Completed 10/16/2020

Court Searched	<b>Chelan County</b>
Case Number	<b>123456</b>
Charge Type:	<b>Misdemeanor</b>
File Date:	<b>5/5/2005</b>
Offense Date:	<b>5/5/2005</b>
Offense:	<b>Theft</b>
Disposition Date:	<b>6/6/2005</b>
Disposition:	<b>Guilty (conviction)</b>
Sentence:	<b>1 year probation fines and fees</b>

If there is additional information you wish your prospective or current employer to know and consider regarding your criminal record history, please provide your response here.

Tips to keep in mind when writing your response Collapse

**There are several factors your potential employer will consider regarding your criminal history:**

- The seriousness of the offense and how it relates to the position.
- The time that has passed since the offense and/or completion of the sentence.
- The nature of the job sought.
- The facts or circumstances surrounding the offense or conduct.
- The number of offenses for which the individual was convicted.
- Age at the time of conviction.
- Evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct.
- The length and consistency of employment history before and after the offense or conduct
- Rehabilitation efforts, e.g., education/training.
- Employment or character references and any other information regarding fitness for the particular position.
- Whether the individual is bonded under a federal, state, or local bonding program.

#### Do you have any supporting documents?

If you have any supporting documents that relate to your rehabilitation, you can easily provide them below. [🔗](#)

Drag a file here

Or if you prefer...

Select a file from your computer

4.77MB size limit

Save Progress

Complete

## What is considered a complete candidate response?

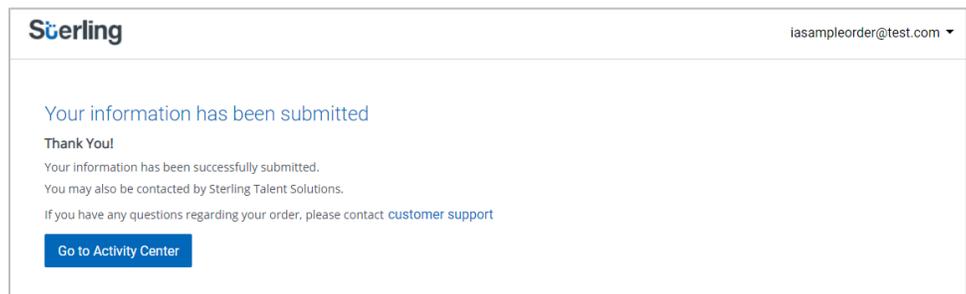
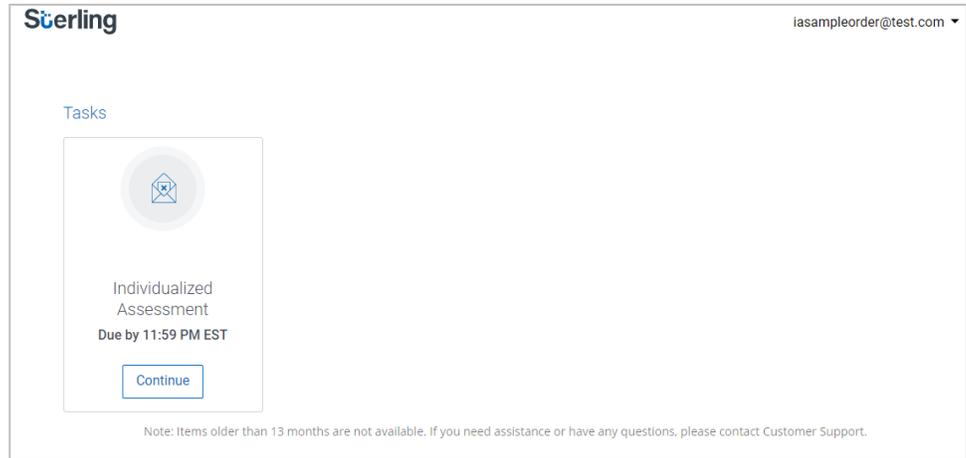
If you only select one reason for potential denial, the candidate must provide a response or upload a document to complete the process.

When multiple records are provided, the candidate must respond or upload a document for at least one of the potentially disqualifying records in order to complete the process.

**Please note:** The candidate is not required to respond to all potential disqualifiers.

The candidate can return to complete the Individualized Assessment task any time prior to the final Adverse Action letter being sent.

When the response is successfully submitted, the candidate will see a confirmation page.



When you initiate the Pre-Adverse Action process, you can select to have an email notification sent to yourself or any distribution list configured for the account. The status of the order will automatically change to **Adverse Action Paused**.

If the candidate does not complete the Individualized Assessment task, you can configure an expired notification to be sent to you. Please note that this expired notification configuration is optional.

If the task is not completed by the candidate, and if there is no dispute filed, then the Adverse Action process will automatically continue.

<b>Smith, Jessica Ann #1800045521</b>		Order Status: <b>Pre-Adverse Action Initiated</b>	Order Result: <b>Level3</b>	✕
Searches Attachments		PDF		
This is an interactive view of the candidate results, not the final report. Access the final report by clicking <b>Export</b> at right.		<b>Cancel Adverse Action</b>	<b>Pause Adverse Action</b>	◀
Client Status: Needs HR review ✎		🗒		

## Reassessment

When the candidate completes the Individualized Assessment process, Adverse Action will pause in order to give you an opportunity to review the candidate's response(s) before making a final decision.

To see which candidates have completed Individualized Assessment, you can filter down to the **Adverse Action Paused** status in both classic view of ScreeningDirect, as well as the Client Hub.

In the order, you will see the candidate response(s) under each search where there is a response.

After reviewing the candidate response(s), you must complete the Adverse Action process by selecting either **Cancel Adverse Action** or **Resume Adverse Action** from the actions menu.

Wall, Sue Ann #1800553091 Order Status: Adverse Action Paused Order Result: Level3

Searches Attachments

Cancel Adverse Action Resume Adverse Action

This is an interactive view of the candidate results, not the final report. Access the final report by clicking **Export** in the right side navigation.

Client Status: None

Report Summary						
Search	Identifier	Requested	Completed	Status	Result	
County Court Search	Wall, Sue Ann, WA-SNOHOMISH	11/23/2020	11/23/2020	Complete	CONSIDER	
Managed Adverse Action	Wall, Sue Ann, 1234		12/2/2020	Pending	--	
Individualized Assessment	Wall, Sue Ann, 1234			Pending	ETA 12/2/2020	
Fair Chance	Wall, Sue Ann, 1234			Pending	ETA 1/29/2021	

^ County Court Search—Wall, Sue Ann, WA-SNOHOMISH CONSIDER

^ Candidate Response

"This is a sample candidate response"

sample PDF.pdf

Data as Provided		Verified Data	
Last Name	Wall	Report requested on:	11/23/2020 Report completed on: 11/23/2020
First Name	Sue	Case Number:	123456

**Please Note:** The completion of Individualized Assessment suspends the Adverse Action process. You must take action to resume or cancel Adverse Action.

### Resume Adverse Action

If you select **Resume Adverse Action**, the status of Adverse Action will change from **Adverse Action Paused** to **Adverse Action Resumed**. The final notice will be sent once the duration period between notices has transpired. The order status will then update to **Adverse Action Sent**.

**Please Note:** The duration period is a minimum of 5 days, though depending on the candidate's location of residence, it may be longer. You have the ability to configure a default duration period.

### Cancel Adverse Action

If you select **Cancel Adverse Action**, you will be redirected to the **Cancel Adverse Action** window to confirm cancellation.

The selection options available within the **Cancel Adverse Action** window will vary depending on your account configuration.

Once you select, the order status will update to Complete.

Cancel Adverse Action

Change Result \*  
Level3

Select Client Status \*

Reason for cancellation (optional)

Do Not Cancel Cancel Adverse Action