

Survey Says: Almost All Employers Use Background Checks (And Other Notes On Pre-Employment Testing)

July 31, 2017 | | [Employment Lessons](#), [Labor And Employment](#)



**William A.
Nolan**

Partner
Columbus
Managing Partner

As we sometimes do, we turn our attention to one of the monthly surveys from the Ohio-based Employers Resource Association (ERA). [This survey](#) focuses on a number of interesting questions about hiring trends as practices, such as who interviews applicants (24 percent of respondents have peers interview applicants) and what resources are used to find candidates (not surprisingly, online job boards leads at 89 percent). More on the employment law side, I thought the question showing what percent of employers use various kinds of pre-employment testing was particularly interesting:

- Almost all respondents – 91 percent – are using background checks. This is certainly good practice for most companies, but an area with a number of potential legal pitfalls, so not surprisingly a topic that has often been addressed on the [Currents Employment blog](#)
- 72 percent of respondents are drug testing applicants. This is often advisable for employers in manufacturing or other settings where employees are in potentially dangerous situations. This too is an area that needs to be approached with care and can entail [various legal issues](#) if not approached properly.
- 22 percent of employers are using personality tests
- 20 percent of employers are doing credit checks. Credit checks should be approached with particular caution; the Equal Employment Opportunity Commission, corresponding state agencies and courts generally look for pre-employment testing to be related to the particular position, and personal financial difficulties are generally not considered to be related to most positions.

Basic background checks seem to have become an HR staple, like a handbook sign off and a harassment policy, and appropriately so. Provided the employer is checking with legal counsel to ensure compliance with applicable laws, almost any investment in the hiring process pays off in better employees and minimizing liability.

RELATED PRACTICE AREAS

Labor and Employment
Management and Employee Training
Workplace Counseling
Workplace Culture 2.0

RELATED TOPICS

Background Checks
credit checks
Drug Testing
Employers Resource Association
hiring
personality tests