



CHILD SUPPORT SERVICES DIVISION GENERAL PROGRAM ADMINISTRATION

Background and Fingerprint Checks for Child Support Services Division Employees

CS 101.9

SUPERSEDES

CS 101.9 Background Checks for Employees of the Child Support Services Division, August 26, 2022

References

IRS Publication 1075; IRS Privacy Disclosure/Background Investigations; U.S. Citizenship and Immigration Services Instructions for Form I-9

Background

Determining the suitability of individuals who are granted access to confidential child support and Federal Tax Information (FTI) is a key factor in ensuring information security. FTI is housed in the CSSD system and is under strict information security rules per the Internal Revenue Service (IRS). Additionally, IRS Publication 1075 requires that all individuals (employees and contractors) undergo a suitable background investigation prior to being granted access to FTI.

POLICY

The Child Support Services Division (CSSD) and the Department of Public Health and Human Services (DPHHS) conduct background and fingerprint checks on all new hires and existing employees. The investigation includes three parts:

- Federal Bureau of Investigations (FBI) fingerprint check. National fingerprint-based background check of criminal history throughout the United States.
- Local law enforcement check. A name-based check using the Criminal Justice Information Network (CJIN) conducted by the Montana Department of Justice or a companion agency in another state, covering localities where they have lived, worked, and/or attended school within the last 5 years.
- Citizenship/residency checks. Validation of the individual's eligibility to legally work in the United States. This check will be completed on all newly hired employees using U.S. Citizenship and Immigration Services (USCIS) Form I-9 to document the identity and employment authorization of each newly hired employee. All newly hired employees will also be processed through the E-Verify system to validate the information and documentation provided with Form I-9 within 3 business days after the employee's first day of employment. Any employee with expiring employment authorization, such as a refugee, asylee, or other noncitizen, will be monitored for continued compliance.



CHILD SUPPORT SERVICES DIVISION GENERAL PROGRAM ADMINISTRATION

Background and Fingerprint Checks for Child Support Services Division Employees

CS 101.9

Background and Fingerprint Checks

A local law enforcement background and fingerprint check with a favorable outcome must be obtained for each new hire and existing CSSD employee before granting or continuing access to the system. A favorable outcome is one where local law enforcement background and fingerprint checks report no felony conviction.

If a local law enforcement background or fingerprint check reveals any felony conviction, the information is evaluated by the DPHHS Office of Human Resources and CSSD management and is based on the requirements of each position before a decision is made to hire an individual or terminate an existing employee.

Existing Employees

Within five years of the last check, the CSSD conducts a recheck following the previous local law enforcement background and fingerprint checks.

Required Training

New hires must also complete IRS Disclosure Awareness training prior to being granted access to the child support system. The training is mandatory for all new hires and then is retaken annually.



CHILD SUPPORT SERVICES DIVISION GENERAL PROGRAM ADMINISTRATION

Background and Fingerprint Checks for Child Support Services Division Employees

CS 101.9

PROCEDURES

As part of the hiring process, the hiring supervisor has the final candidate complete a Criminal Background Check and Release of Information for the Federal Bureau of Investigations (FBI) Fingerprint Check form.

Completes Forms

Hiring Supervisor

Requires the candidate to complete two forms: Criminal Background Check and Release of Information for FBI Fingerprint Check.

- If the candidate refuses to complete a form, they will not advance in the hiring selection process.
- If a candidate refuses to complete a form, their offer for employment with the CSSD could be rescinded.

Duties of DPHHS Office of Human Resources

- Processes citizenship and residency eligibility pursuant to DPHHS standard procedures for all new hires.
- Facilitates background checks with the Department of Justice.
- Maintains the background check records.
- Evaluates initial results in accordance with Equal Employment Opportunity (EEO) guidelines; initial review includes reviewing the nature and severity of the conviction, relation of the conviction to the applicant's or employee's position, and how much time has elapsed since the conviction occurred.

Felony Conviction

DPHHS Office of Human Resources and CSSD Management

Before making a hiring decision or providing access to the system, evaluates the information based on the requirements of each position. If it is determined that the felony conviction does not constitute an unfavorable outcome, the applicant or employee will be allowed access to the system if needed for their position.



CHILD SUPPORT SERVICES DIVISION GENERAL PROGRAM ADMINISTRATION

Background and Fingerprint Checks for Child Support Services Division Employees

CS 101.9

IRS Disclosure Awareness training

New Hire

Successfully completes IRS Disclosure Awareness training and provides signed training certificate to the hiring supervisor.

Favorable Outcomes

Hiring Supervisor

Notifies the CSSD System Security Team that favorable outcomes in the background check, and citizenship/residency check have been achieved, and they have received the signed IRS Disclosure Awareness Training Certificate. E-mails to the CSSD System Security Team (HHSDOSEARCHS@mt.gov) and the federal tax offset specialist:

- Proof of a favorable outcome of the background and FBI fingerprint check.
- The IRS Disclosure Awareness Training Certificate signed by the new hire.

CSSD System Security Team/Federal Tax Offset Specialist

Upon receipt of proof of favorable outcomes and the signed IRS Disclosure Awareness Training Certificate, grants the new hire access to the child support system.

Existing Employee Background Rechecks

CSSD Central Office

Coordinates with existing employees to facilitate the required five-year law enforcement background and FBI fingerprint rechecks.