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CONDU**CONDUCTING REFERENCE CHECK CALLS**

**Advising the Applicant**

* As a courtesy, inform the applicant before you check references. An applicant’s permission is not required except in the case where the applicant has asked that we not contact his/her current employer. In this situation you should call and explain that you are now checking references. If the applicant refuses to give you permission, explain that without this information you will not be able to consider him/her further.
* It is legally permissible to contact references other than those provided by the applicant. Again, as a courtesy, inform the applicant that you will be doing this. If the applicant has concerns about a particular person, you may certainly take those concerns into consideration.

**Conducting the Reference Check**

* Job-related questions are the key to a good reference check. You can establish what the applicant’s duties were, how their performance was evaluated, and what strengths and weaknesses were identified.
* It is a good practice to develop a set of reference questions and use them for each candidate on which you are seeking information. We recommend you use our [Reference Check form](http://www.hr.ucsb.edu/sites/www.hr.ucsb.edu/files/forms/refcheck.pdf) to ensure that you ask the same questions of everyone you contact and keep a record of those conversations.
* Remember that the illegal questions used for interviewing also pertain to reference checks, e.g., questions about marital status, sexual orientation, disability, age, race, ethnicity, religious beliefs.
* After identifying yourself and your reason for calling, describe the job and find out what kind of work relationship the reference has had with the applicant -- first hand observation of performance is most valuable, and we have a responsibility to evaluate the credibility of the information we receive in the reference check.
* You may ask about whether the applicant had an acceptable attendance record but may not ask about a person’s use of sick leave, medical leave, or workers’ compensation. Do not discuss a person’s disability, and ignore any information about disability that is volunteered. If a reference begins to discuss impermissible areas, steer the discussion back to job-related factors.
* You should check the references of a UCSB applicant in the same manner as any other applicant, including contacting current and former supervisors.

**Confidentiality**

* It is not necessary to advise contacts for reference checks of circumstances under which information they provide will be disclosed to the applicant at the outset of the reference check. However, do not promise that information will be kept strictly confidential.
* Applicants who request information regarding reference checks will be told that it is not our practice to disclose this information. However, applicants who make formal written requests are entitled to copies of your notes from the Reference Check. If the reference asked for confidentiality and is not a current supervisor, details can be deleted from the notes that would identify the source.

**Frequently Asked Questions (FAQ)**

1. **How many references should I check?**
   * More than one. If you get inconsistent answers from the first two, you may want to check more than you ordinarily would.
2. **What if you encounter resistance?**
   * Some organizations have a policy of not releasing information, but you should know that California law protects reference checks unless they are untrue, without a valid basis, or given with malice.
   * Try another approach. Ask for advice on how best to manage the person to bring out her/his abilities. If you’re not getting answers to standard questions, try painting a picture of your work culture and its unique pressures, so that the supervisor can give a realistic evaluation. For example: “We’re a high volume customer service office. The phones don’t stop ringing, the paperwork is endless, and we’re considering Ms. Smith for a position in our unit dealing with our most demanding customers. Is that an environment in which she would excel?”
   * Sometimes giving the reference a structure for responding, e.g. “Some people constantly look for new ways to reinvent their jobs and assume responsibilities beyond the basic job description. Others adhere strictly to their job duties and ‘don’t do windows,’ so to speak. Can you tell me where Ms. Smith fits on that continuum?”
3. **What if a reference won’t give any real information?**
   * If a reference refuses to cooperate, put it in perspective. If other employers are giving rave reviews and one supervisor refuses to provide information under any circumstances, the silence shouldn’t necessarily disqualify an applicant. But if a string of past supervisors are “taking the 5th” and refusing to share information, this should raise a red flag. Discuss your concerns with your Employment Recruiter before making a hiring decision for this candidate.
   * If you cannot get good reference checks on an applicant, you may also inform the applicant that you have been unsuccessful and will not be able to consider their application further or ask the applicant to encourage the reference to talk.
4. **What if a reference check reveals negative information?**
   * You may choose to inform the applicant that you have gotten negative information and give them a chance to refute it, although this is not required. Be cautious about relying on information of which the reference has no personal knowledge and which may be no more than unsubstantiated rumor.
5. **Can I use negative information that a reference check has given me in confidence?**
   * The only way to keep information completely confidential is not to record it, and then it can be problematic to use in making a hiring decision. You have an obligation to try to verify the information, if you can. If you are unable to verify the information, you should contact your Employment Recruiter for advice.