
Suggestions for GIVING REFERENCES

INTERNAL

University employees often apply for and are considered for different positions within the University. Providing references to other departments will enhance efficient and effective hiring of qualified employees and will help achieve good matches between an applicant's skills and the department's needs.

In general, the same considerations that apply to providing references to other employers apply to situations of providing references to other University departments.

There need not be written authorization by the employee for the reference check. Nonetheless, the same care should be shown and information should be limited to a description of the employee's prior position and performance.

Full and complete information regarding an employee's performance will allow for efficient and effective hiring and good matches between the employee's skills and the job requirements

EXTERNAL

There are several reasons for responding to requests for references for former employees, including establishing a relationship with other employers such that they will reciprocate in providing references and, when references are favorable, helping former employees find employment.

In providing references, employers must be careful to avoid situations in which the former employee may raise and successfully establish a claim of defamation. In order to prove defamation based on an employment reference, a former employee generally must prove that the former employer negligently communicated a false statement to a third party that tended to harm the former employee's reputation. Most courts, including the Connecticut Supreme Court, recognize a "qualified privilege" to provide references about a former employee if the reference is solicited with the employee's consent and if references are made without malice or any improper or unjustifiable motives. A former employee must show that the former employer "abused" the qualified privilege in order to establish defamation. Such abuse can be shown by "excessive publication," which occurs when an employer communicates the statement to persons who have no legitimate need to know or when an employer deliberately lies or recklessly disregards the truth in providing the information. In general, if the former employer limits its answers to questions that are job related and does not offer opinions regarding personal characteristics of the employee, there will be no basis for a defamation action.

Procedure

1. Verify the reference checker's identity before giving out information. This often may be accomplished by calling the individual back at his or her place of business.

2. Ask whether, and - document in notes that, the former employee has given consent for the reference. If no permission has been given, limit your information to verifying the dates of employment, the title or position and the salary.

3. In cases in which the former employee was terminated or laid off, consult with Human Resources.

4. In other cases, ask for a description of the position for which the person is being considered. Only with that information will you be able to provide answers relevant to performance on the job.

5. Describe the position the former employee held at the University, the skills required for the position, and the experience and professional qualifications for the position. Describe the former employee's performance of the job.

6. Do not comment on the employee's age, race, medical condition, any disabilities, workers' compensation claims, or any complaints, grievances or other actions the former employee may have brought against the University. Comment only on the employee's ability to perform the job in question.

Suggestions for CHECKING REFERENCES

THE PURPOSE OF A REFERENCE CHECK IS:

- To verify information that the applicant has provided, i.e., dates, title/position, responsibilities, reason for leaving, etc.
- To have the benefit of prior employer's views about the applicant's work performance, accomplishments, strengths and weakness.

GENERAL GUIDELINES

1. Previous and present employers are the best source of information about a prospective employee. The online application system asks for names of employers and includes a statement to be signed by the applicant which gives us permission to contact these employers. This written permission must be obtained before any reference can be contacted. As an extra safeguard, the interviewer should verbally inform the applicant that it is customary to check references before hire. This gives the applicant an opportunity to make any relevant comment, or even to request that an employer not be contacted. Since contacting an applicant's present employer may create an awkward situation for the applicant, it is particularly important to have specific permission before contacting individuals at the present employer's company.
2. You will be seeking views about performance. A phone call rather than a letter is more effective in eliciting frank conversation.
3. References should be checked for all finalists for the position. The fact that references could not be obtained should not normally be the sole reason for turning down an applicant.
4. It is difficult to obtain information from a former employer when you cannot assure confidentiality but you cannot guarantee this. However, most employers (unless constrained by company policies) will respond to routine questions. Then, by building a level of trust, you may be able to move to more detailed questions.
5. Notes from the reference check should be kept in a supervisor's personal file, not in the employee's file or record. In order to comply with various federal and state regulations, you must retain all materials pertaining to a hiring decision, including any notes made regarding references, for three years.

Procedure

1. Introduce yourself: your position. State the applicant's name and the fact that he/she has given permission for a call. In order to put the person at ease, you might emphasize that you would like to "verify" employment information.
2. Briefly describe the position for which the person is being considered. The questions that then follow should be aimed at obtaining information about the applicant's prior work performance, skills, experiences, and any characteristics that might affect his/her ability to perform the new job. The same questions should be asked of each candidate.
 - Verify the job title of the former employee and the working relationship to the person giving the reference.
 - Verify dates of employment and salary (if relevant).
 - Ask for a brief description of the applicant's duties in the former job. Other helpful information might be the office setting, the size of the operation, other reporting relationships, and working contacts with other employees.
 - What responsibilities demanded the most time?
 - Effort? Independent judgment? Imagination? With what degree of success?
 - Did the person's job change over the course of time? To what extent did the employee cause that to happen?
 - What was the response of others to the person's work (co-workers, clients, other managers, etc.)?
 - What were his/her strongest points, major contributions to the firm? What were the weakest points?
 - What were attendance patterns?
 - Why did the person leave? Would you rehire?
 - Is there other work-related information that should be shared?
1. Occasionally you will encounter a reference who resists giving any information beyond verifying routine facts. The best approach in this case is to phrase as many questions as possible as requests for verification, such as, "Is it true that the employee made many decisions on her own?" You may also appeal to the person's sense of "management responsibility" by prefacing your question with a remark like: "I know you understand how important it is to both the employee and the employer that the job be a good match for the employee." Sometimes those in higher management levels are more used to providing reference information and are able to cooperate more promptly with your request. If necessary, seek the information from the supervisor's superior.
2. If you receive a generally negative reference on the applicant from an individual, don't stop there. When feasible, you should always make the effort to contact a second reference.