



**ARKANSAS DEPARTMENT OF VETERANS AFFAIRS**

**501 Woodlane Drive, Suite 401N**

**Little Rock, AR 72201**

**SARAH HUCKABEE SANDERS**  
GOVERNOR

**KENDALL W. PENN**  
RET. MAJOR GENERAL  
SECRETARY

15 April 2023

**MEMORANDUM FOR EMPLOYEES OF ARKANSAS DEPARTMENT OF VETERANS AFFAIRS**

**SUBJECT: Arkansas Department of Veterans Affairs (ADVA) Employee Background Checks Policy**

1. ADVA Human Resources is responsible for the creation, revision, and dissemination of agency policies and procedures in order to assist in the maintenance of an effective workplace.
2. This memorandum is intended to serve as an update to the ADVA Criminal Background Check Policy and is applicable to all ADVA employees. This policy shall remain in effect until revoked or superseded.
3. Point of contact for this memo is Melissa Butler at (501) 682-1954.

A handwritten signature in blue ink, appearing to read "K. W. Penn", is written over the typed name.

**KENDALL W. PENN**  
MAJOR GENERAL, Retired  
SECRETARY

**ARKANSAS DEPARTMENT OF VETERANS AFFAIRS**  
**Employee Background Checks**

**I. PURPOSE:**

The following policy shall establish and set forth the Arkansas Department of Veterans Affairs (ADVA) employee background check policy and procedure.

**II. POLICY:**

All prospective employees of ADVA shall be required to undergo a background check prior to employment or as a condition of employment, to determine suitability of employment. Failure to pass the background check may cause the applicant to be rejected or terminated from that job. Applicants affirm this notification by their signature on the State of Arkansas Employment Application.

**III. PROCEDURE:**

All applicants shall be required to sign a consent form for any required background checks at the time of the interview in order to be considered for employment for the position.

The Hiring Official will forward the signed consent form of the applicant selected for the position to the Human Resources office for processing. The Hiring Official shall maintain all signed consent forms of applicants interviewed until the hiring process has been completed. Human Resources shall submit an electronic request for a criminal background check to the Arkansas State Police for all applicants. Individuals who have been a resident of the State of Arkansas for five (5) years or less or are a non-resident of the state of Arkansas shall be required to submit fingerprints and a federal background check shall be conducted.

If a background check reveals an arrest for which there is no disposition, the Human Resources representative shall contact the law enforcement agency responsible for the arrest to obtain the disposition of the arrest. When the disposition has been obtained, the Hiring Official will be notified of the applicant's background check results.

Any current employee applying for a position within ADVA shall be subject to the same background check requirements.

**IV. NOTIFICATION AND CHALLENGE:**

In the event that the employment background check reveals a disqualifying misdemeanor or felony conviction, the Human Resources representative shall notify the applicant by telephone of the disqualification for employment due to the results of their background check. All calls to the applicant shall be logged by the human resources representative. If the applicant is unable to be contacted by all telephone numbers listed on the application within a two (2) business day period, then the disqualification shall be final. Any messages left on the applicant's voice mail shall be considered a completed notification. Included in the notification by Human Resources shall be a statement that the applicant has the right to challenge the accuracy of the information included on the background check and that they have two (2) business days to provide a signed statement of his or her intent to challenge

the convictions with the Arkansas State Police. If the applicant declines to provide a signed statement to Human Resources within two (2) business days from the date of notification, the applicant will be automatically disqualified. After receiving a signed statement of their intent to challenge, the applicant will be given an additional three (3) business days to resolve any background check dispute with the Arkansas State Police and/or other state or federal law enforcement agencies.

After the applicant resolves any disagreements with the background check, Human Resources shall obtain a new background check for the applicant, at which time the results of the background check will be considered final.