

Requests for employment information for current and former employees

Arkansas Code Annotated § 11-3-204 provides employers with protection from legal liability when they provide employment history information about a current or former employee if the current or former employee has consented to the release of his or her information in writing. This is contrary to a commonly held belief that employers are allowed to disclose basic information such as dates of employment, job title and whether the individual is eligible for re-hire.

In order to comply with this law, all employees of HSU are instructed to direct any requests for employment information about a current or former employee to Human Resources. Human Resources has a "Consent to Disclose Employment History" form that can be given to current and former employees. Human Resources will keep the completed consent forms on file.

Please be aware that no employee of HSU should provide employment history information related to any current or former employee without written confirmation from Human Resources that the individual has consented to the release of his or her information.

Once a release form has been signed, HSU may only disclose the following information about a current or former employee's employment history to a prospective employer:

- (A) Date and duration of employment;
- (B) Current/last pay rate and wage history;
- (C) Job description and duties;
- (D) The last written performance evaluation prepared prior to the date of the request;
- (E) Attendance information;
- (F) Results of drug or alcohol tests administered within one (1) year prior to the request;
- (G) Threats of violence, harassing acts, or threatening behavior related to the workplace or directed at another employee;
- (H) Whether the employee was voluntarily or involuntarily separated from employment and the reasons for the separation; and
- (I) Whether the employee is eligible for rehire.



HENDERSON
STATE UNIVERSITY

1001 HEN DR. BOX 200000 ASB 27100-0000 WYOMING STATE

CONSENT TO DISCLOSE EMPLOYMENT HISTORY

"I, _____
Printed name

hereby give my consent to Henderson State University and its employees to provide information with regard to my employment at Henderson State University to the following prospective employers:

I understand that I am agreeing that Henderson State University may disclose the following information about my employment history to the above-listed prospective employer:

- (A) Date and duration of employment;
- (B) Current/last pay rate and wage history;
- (C) Job description and duties;
- (D) The last written performance evaluation prepared prior to the date of the request;
- (E) Attendance information;
- (F) Results of drug or alcohol tests administered within one (1) year prior to the request;
- (G) Threats of violence, harassing acts, or threatening behavior related to the workplace or directed at another employee;
- (H) Whether the employee was voluntarily or involuntarily separated from employment and the reasons for the separation; and
- (I) Whether the employee is eligible for rehire.

I understand that this consent will be valid for the length of time that my application with the above listed prospective employer is considered active but in no event longer than six (6) months from the date listed on this form.

Signature

Date

EXCELLENCE • SPIRIT • TRADITION