



Why a Qualified Candidate is Denied Employment with MnDOT

MnDOT strives to hire the best people it can find for the positions available. It is the HR Office's responsibility to review the applications received to verify if the applicant meets the required job qualifications. Applicants who meet the qualifications are regarded as qualified job candidates. A selection process then picks the best candidate. The selected candidate will be offered the position contingent upon the results of an Employment Verification Check (EVC) and Driver's License record check (if job related).

For all candidates offered a contingent job offer, the EVC includes verification that their Social Security number matches that which they provided. Additionally a criminal background check (CBC) is conducted for all selected candidates (except for minors).* The CBC includes review of various relevant law enforcement databases (e.g., Federal, State and County records) from areas in which the candidate has resided. It is the policy of the State of Minnesota ([M.S. 364](#)) to encourage and contribute to the rehabilitation of criminal offenders. The opportunity to secure employment is essential to this effort, including public employment. A criminal conviction, standing by itself, is not a basis for rejection of a selected candidate.

Depending upon the position, the selected candidate's EVC may also include verification of prior employment, education and professional credentials, certification or licenses. If the job requires that the employee drive for all or part of their job assignments, a review of the person's driver's license record will also be conducted. It is during the EVC and driver's license review process where the selected candidate could have the job offer withdrawn.

Examples of when a job offer may be withdrawn include, but are not necessarily limited to, the following.

Driving Related Violations - Major

- ◆ Candidate has one or more major violations in the last five (5) years if driving is a job requirement or essential function of the job, such as:
 - ✓ Driver's license suspension or revocation
 - ✓ Driving while license is suspended and/or revoked
 - ✓ Driving under the influence of alcohol and/or drugs
 - ✓ Driving while impaired
 - ✓ Refusing a drug and/or alcohol test
 - ✓ Failure to stop and report an accident
 - ✓ Leaving the scene of an accident
 - ✓ Making a false accident report
 - ✓ Reckless (example - speeding contest), careless or exhibition driving
 - ✓ Fleeing a law enforcement officer
 - ✓ Homicide, manslaughter or assault arising out of the use of a vehicle

*Criminal records for minors are not public and cannot be obtained by MnDOT.

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Employment Offer Withdrawal

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Driving Related Violations – Minor

- ◆ Candidate is found to have four (4) minor violations in the last five (5) years if driving is a job requirement or essential function of the job such as:
 - ✓ Minor speeding conviction (example - less than 20 mph over the posted speed limit)
 - ✓ Driving too fast for the conditions
 - ✓ Inattentive driving
 - ✓ Unsafe lane change
 - ✓ Failure to stop or yield the right of way
 - ✓ Following too closely (example - tailgating)
 - ✓ Any standard moving violation that does not fall into the major violation category (on reverse side)

Driving Related Violations – Combinations of Major & Minor

- ◆ Candidate is found to have three (3) or more at-fault accidents in the last three (3) years if driving is a job requirement or essential function of the job; or any combination of minor violations and at-fault accidents that total four (4) or more occurrences. The definition of an at-fault accident is where the driver is cited with a violation or negligently contributes to the incident; or any single vehicle accident where the cause is not equipment related.

Other Violations

- ◆ Candidate was found not to have a pre-requisite license (examples - driver's, professional engineering, etc.)
- ◆ Candidate was found to have provided bogus documentation regarding their identity (example – SS# is discovered to be fraudulent.)
- ◆ Candidate was found to have provided bogus, misleading, incomplete or deceptive educational or employment history.

Criminal Convictions

- ◆ Candidate was found to have a combined history of multiple moving vehicle violations (spanning a period of time greater than one year) which demonstrates an ongoing pattern of poor driving decisions, coupled with a similar history of bad behavioral judgment in regard to multiple criminal convictions over a similar span of time, and/or providing misleading or deceptive information regarding work, education or professional qualification history.
- ◆ Candidate was found to have a criminal record directly related to the job and failed to demonstrate sufficient rehabilitation, consistent with the provisions of [M.S. 364](#) (hyperlink to M.S. 364 - <https://www.revisor.mn.gov/statutes/?id=364>).

This may include learning that:

- An arrest warrant has been issued for the candidate.
- The seriousness of the crime, length of time since it occurred, age of the candidate at the time of the crime and inadequate showing of success, completion or progress in the rehabilitative process.
- Multiple felonies, gross misdemeanors, or misdemeanors (in which a jail sentence could be imposed) showing a history of consistently poor judgment, or disregard for the interest of the employer or public.

To request this document in an alternative format, please contact the Diversity and Inclusion Office at 651-366-4718 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You may also send an e-mail to ADArequest.dot@state.mn.us.

