

HUMAN RESOURCES MEMORANDUM 26-004		DATE ISSUED: 2/11/2026
SUBJECT: <b>Live Scan Background Check Procedures</b>		REFERENCE: None
TO: All DGS Managers, Supervisors, and Employee Resource Liaisons		SUPERCEDES: <a href="#">HR Memo 20-016</a>

**Please Ensure That This Process Is Followed**

**Purpose**

The purpose of this memorandum is to outline the requirements and procedures for processing the [BCIA 8016](#) "Request for Live Scan Service" background check form through the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) for designated Department of General Services (DGS).

**Background**

This procedure defines the steps necessary to complete Live Scan background checks for employees and applicants for specific DGS positions and/or buildings.

**Requirements**

Any employee or prospective employee, whose duties include access to Personal Identifying Information (PII) or Federal Tax Information (FTI), must undergo a Live Scan background check.

A position must be legally designated to require background clearance as a condition of employment.

When a designated position is created, the program must submit a request to add background clearance to the job requirements and duty statement. The program must submit the request to the Office of Human Resources (OHR) Classification and Certifications (C&C) and Enterprise Planning and Inclusiveness (EPIC) Labor Relations (LR) Units. The request will be routed through OHR management, and the Personnel Officer and/or the OHR Chief will seek legal input from the Office of Legal Services (OLS). If approved, the applicable OHR listing of positions that are required to have a background check is updated. At that time, the duty statements will be updated to include a background clearance as a condition of employment. Future jobs advertisements will also require the OHR-approved template language requiring background clearance as a condition of employment.

Positions that require a Live Scan background check will be reflected on the [Buildings and Positions Requiring Live Scan](#) listing. DGS Program staff should refer to this list to verify which positions require background clearance.

## Roles and Responsibilities

### Enterprise Planning and Inclusiveness (EPIC) Labor Relations (LR)

- Serves as the Custodian of Records (COR) and manages the DGS Live Scan background process.

### DGS Custodian of Records

- For positions where the Live Scan background check is initiated by DGS, the DGS COR receives candidate information (name and RPA number) from the Employee Resource Liaison (ERL) via [OHRCustodianofRecords@dgs.ca.gov](mailto:OHRCustodianofRecords@dgs.ca.gov).
- The candidate emails, hand delivers, or mails DGS form OHR 48 "Personal History Statement" to the DGS COR.
- Receives the Live Scan results from DOJ and FBI.
- Determines the candidate's eligibility for employment based on the results received and notifies the OHR C&C unit via email at [OHRCC@dgs.ca.gov](mailto:OHRCC@dgs.ca.gov).
- Provides appeal rights to candidates found ineligible for employment based on the Live Scan background process.

Note: When the COR receives a notice of delay from the Applicant Agency Justice Connection (AAJC), it could take more than 60 days for the COR to receive the final notification.

### OHR C&C

- Receives notification from DGS COR of the candidate's eligibility for appointment based on the Live Scan results.
- Assists ERLs in identifying positions requiring background checks.
- Processes RPAs and verifies inclusion of background check language in duty statements and job advertisements.
- Ensures compliance with Post and Bid procedures per applicable Memorandum of Understandings.

### Hiring Manager/Supervisor

- Identifies vacancies and collaborates with ERL to verify Live Scan requirements.
- Works with ERL to ensure duty statement and job advertisement includes appropriate language regarding the background check requirement.
- Conducts application review.
- When selection is made, consults with ERL to ensure all hiring conditions are met.
- Makes conditional offer to candidate pending the Live Scan background check results.

### Employee Resource Liaison

- Reviews the [Buildings and Positions Requiring Live Scan](#) listing to determine if the position requires a Live Scan background check and verifies the determination with C&C Analyst through the RPA process.
- Works with the hiring manager/supervisor to ensure the duty statement and job advertisement includes appropriate language regarding the background check requirement.
- Obtains signed conditional offer letter pending background clearance from the hiring manager/supervisor.
- Emails the DGS COR the candidate's name and RPA number to [OHRCustodianofRecords@dgs.ca.gov](mailto:OHRCustodianofRecords@dgs.ca.gov).

- Receives notice of eligibility based on Live Scan results from C&C.
- Obtains approval for final offer of appointment for candidate from C&C Analyst and advises hiring manager/supervisor.
- When an employee vacates a position which requires a Live Scan background check and is not transferring to a position which also requires a background clearance, the ERL notifies DGS COR via email.

### **Instructions for Positions Where a Live Scan is Initiated by Building Tenants or Other Entities**

This section contains the instructions for processing Live Scan background checks on candidates for vacant positions where the tenant requires a Live Scan and where the tenant initiates the Live Scan for candidates selected to work within its facilities.

Upon determination by the hiring manager/supervisor of the need to fill a vacancy for a position subject to a tenant Live Scan background check, the candidate shall do the following:

1. The hiring manager/supervisor will work with the ERL to ensure the Live Scan background check requirement is reflected in the duty statement and advertisement documents prior to submitting the RPA.
2. When preparing the hiring documents such as the duty statement and RPA, the ERL and hiring manager/supervisor will confirm whether the position is in a building where the tenant requires personnel to pass a background Live Scan check prior to appointment.
3. OHR C&C will process the RPA, verify whether the position requires a Live Scan, verify that the requirement is properly reflected on the duty statement and job advertisement, and post the advertisement.
4. For positions subject to Post and Bid, if a Post and Bid form is received, the ERL will forward all Post and Bid forms to OHR C&C to conduct the Post and Bid process. Interviews will not be held and the candidate who meets the seniority and special considerations outlined in the appropriate Memorandum of Understanding will be selected. The C&C Analyst will notify the ERL who will then notify the manager/supervisor of who shall be appointed. The background check process will be initiated for the Post and Bid winner.
5. For all other advertisements not subject to Post and Bid, the hiring manager/supervisor will complete the application review, interview, and selection processes; and ensure all conditions of employment are met.
6. After completion of the selection process and with OHR C&C approval, the hiring manager/supervisor will confirm with the ERL the ability to make a conditional offer to the selected candidate. The hiring manager/supervisor shall inform the candidate that the offer is contingent upon the results of the Live Scan process, and the verification of any other conditions for employment for the position. The hiring manager/supervisor then makes the conditional offer to the candidate. If a Personal History Statement is required, the partnering department COR will instruct the candidate to complete the form.

7. The manager/supervisor will provide the tenant with the name of the candidate. The hiring manager/supervisor will provide the candidate with the [BCIA 8016](#) form to complete and advise the candidate to review the Privacy Notices and certify their understanding by signing the form. Provides instruction for the candidate to provide the signed form to the Live Scan technician, as well as an unexpired, government-issued form of photo identification at time of Live Scan.
8. The hiring manager/supervisor will inform the candidate and the ERL of the location, date, and time the Live Scan is to be performed by the tenant.
9. Once the tenant makes a determination of the candidate's eligibility for access to the tenant's facilities, the tenant will directly notify the DGS COR by emailing the results to [OHRCCustodianofRecords@dgs.ca.gov](mailto:OHRCCustodianofRecords@dgs.ca.gov).

The DGS COR shall notify the OHR C&C by sending an email to [OHRCC@dgs.ca.gov](mailto:OHRCC@dgs.ca.gov) of the candidate's eligibility based on the Live Scan results. The C&C Analyst informs the ERL whether this candidate may be appointed or whether the program must select another candidate. The ERL will notify the hiring manager/supervisor who will then notify the candidate.

#### **Instructions for Positions Where a Live Scan is Initiated by DGS**

This section contains the instructions for processing Live Scan background checks on candidates for vacant positions where a Live Scan is required and is initiated by DGS ERLs and/or hiring managers/supervisors, and where the Live Scan results are evaluated by DGS COR for employment eligibility in that position.

Upon determination by the hiring manager/supervisor of the need to fill a vacancy where the position must first pass a Live Scan check the affected staff shall do the following:

1. When preparing the hiring documents such as the duty statement and RPA, the hiring manager/supervisor will consult with the ERL and the [Buildings and Positions Requiring Live Scan](#) listing to verify whether the position is subject to a Live Scan check.
2. The hiring manager/supervisor will work with the ERL to ensure the Live Scan requirement is reflected on the duty statement and advertisement documents prior to submitting the RPA.
3. OHR C&C will process the RPA, verify whether the position requires a Live Scan, verify that the requirement is properly reflected on the duty statement and job advertisement, and post the advertisement.
4. For positions subject to Post and Bid, if a Post and Bid form is received, the ERL will forward all Post and Bid forms to OHR C&C to conduct the Post and Bid process. Interviews will not be held and the candidate who meets the seniority and special considerations outlined in the appropriate Memoranda of Understanding will be selected. The C&C Analyst will notify the ERL who will then notify the manager/supervisor of who should be appointed.

5. For all other advertisements not subject to Post and Bid, the hiring manager/supervisor will rank the applications and interview the highest ranked candidates. The hiring manager/supervisor will select the best candidate and work with the ERL to ensure all conditions of employment are met.
6. After completion of the selection process and with OHR C&C approval, the hiring manager/supervisor will confirm with the ERL the ability to make a conditional offer to the selected candidate. The hiring manager/supervisor then makes the conditional offer to the candidate and instructs the selected candidate to complete a "Personal History Statement" [DGS OHR 48](#) and email the completed statement to [OHRCustodianofRecords@dgs.ca.gov](mailto:OHRCustodianofRecords@dgs.ca.gov). It may also be hand delivered or mailed.
7. The hiring manager/supervisor will provide the candidate with the [BCIA 8016](#) form to complete and advise the candidate to review the Privacy Notices and certify their understanding by signing the form.
8. The hiring manager/supervisor instructs the candidate to take the completed BCIA 8016 form, as well as an unexpired, government-issued form of photo identification to the Live Scan vendor or Live Scan fingerprinting site.
9. The ERLs and/or hiring manager/supervisor emails the DGS COR the candidate's name, date of Live Scan service, and RPA number to [OHRCustodianofRecords@dgs.ca.gov](mailto:OHRCustodianofRecords@dgs.ca.gov).
10. Once the Live Scan results are received by the DGS COR, they will evaluate the candidate's eligibility for appointment in the position and inform the OHR C&C of the decision.
11. OHR C&C will email the assigned ERL, who will communicate the results to the hiring manager/supervisor who will then notify the candidate.

#### **Candidate Does Not Clear the Live Scan Check**

When a candidate/employee is deemed to not be eligible for employment the hire cannot be made by the hiring authority. The DGS COR will notify OHR C&C, who will notify the ERL and the hiring manager/supervisor. The hiring manager/supervisor notifies the candidate they cannot be hired. The DGS COR will complete the 'No Longer Interested (NLI)' process via the DOJ AAJC.

If the candidate was applying via the Post and Bid process, the candidate cannot be appointed and the next candidate who meets the seniority and special considerations outlined in the appropriate Memoranda of Understanding will be selected. That candidate must also undergo the Live Scan background check following the steps above. If there are no other Post and Bid candidates, the hiring manager/supervisor will then conduct the selection process using all other applications received.

## **No Longer Interested (NLI) Process**

When an employee resigns, transfers to another position or department and no longer is required as a condition of employment to have a Live Scan background check, the ERL shall immediately notify the DGS COR by email. The DGS COR will complete the NLI process.

## **Returning to a Position Subject to a Live Scan Check**

If an employee was in a prior Live Scan background check position left and returned to a position that requires one, they must have a new Live Scan background check performed.

## **Questions**

If you have questions regarding the Live Scan Background Check process, please contact the DGS COR at [OHRCustodianofRecords@dgs.ca.gov](mailto:OHRCustodianofRecords@dgs.ca.gov).

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