

Executive Summary

Requirements for Employee Polygraph Testing

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Federal Polygraph Standards, Ethics
and Professional Methodology

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FROM: Michael D. Park, Director
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TO: Client

Fax: (_____) _____ - _____

SUBJECT: Employee Polygraph Protection Act (EPPA) / white paper

This white paper is not legal advice but does share an executive summary of the requirements to help you satisfy compliance with EPPA. The U.S. Department of Labor, wage and hour division administers the Act. Essentially, an employee polygraph examination may be requested by an employer in the course of an on-going internal investigation that relates to a definable economic loss to the company. The *Employer* is responsible for some preliminary administrative requirements before and after a polygraph examination is requested of an employee. The *Licensed Polygraph Examiner* is responsible for administering the examination in accordance with standards set out in the Act. The staff at *Dallas Polygraph Services* will assist you in complying with the Act, however, we are not responsible and do not provide employers with legal advice in this matter. Some additional information may be acquired from a review of our website www.dallaspolygraph.com

The employer must document the information to support the employee's notice of a request to participate in an on-going investigation using the polygraph examination. Keep all records for three years. This notice will document that the eligibility for a polygraph examination exists. There are essentially three requirements;

1. That the **employee had access**.
2. That there was a **definable economic loss** and
3. That there is **reasonable suspicion** directed at the employee in question.

All three issues must be addressed and every employer has individual circumstances that must be documented. Mere *access* alone is not sufficient for reasonable suspicion in most instances. A sample 48-Hour notice is attached that may be used to notify the employee of the request to participate in a polygraph examination. It is in memo format for placement on your company letterhead. If more than one employee is to be tested schedule each one for afternoon appointments. Call first to confirm availability. Allow for a possible 2-hour examination period. It is best that the employees to be tested do not travel together.

The letter is best issued under the name of the executive who has the authority to direct personnel matters. Please fax copies of all notices signed by the employee to *Dallas Polygraph Services* @ (214.438.3881).

A simple service agreement between your company (*requester*) and *Michael D. Park & Associates / Dallas Polygraph Services* is attached. It is addressed to the Polygraph Examiner on your company letterhead. It should make reference to EPPA and identify the name and social security number (for identification purposes only) of all the employees to be examined and the appointed time scheduled for each individual.

Michael D. Park & Associates is also available to serve your needs with pre-employment screening, internal security measures and global positioning tracking systems. If you have additional concerns or requests associated with these services, please consult with us about the following services.

- **EthiCALL** - The Anonymous Employee Ethics Hot Line

- **Double Checks** - Applicant Processing and Screening

- **RESQSTAR** - GPS consumer Vehicle Telematics System

- **LifeTracer** - Personal Carry GPS Duress Alerts

- **AmberTrak** - Satellite Tracking Child Locators

All appointment, retainer and examination fees should be paid in full prior to the examination appointment time. This may be paid in form of a Company check and delivered with the first examination or paid on line with a credit card at www.dallaspolygraph.com. Since the appointment time is blocked, there is still a charge for no shows and/or to reschedule missed examinations. I hope this answers most of your questions about employee theft polygraph testing but should you need any additional information please call me anytime (214) 438-3880.

Michael Park

Michael D. Park
Texas Licensed Polygraph Examiner
U.S. Marshal (Ret).

Attachments:

Overview – Employee Polygraph Protection Act of 1988 (EPPA)

Sample 48-Hour Notice to Employee (s)

Service Fee Agreement and Request for Polygraph Services