



# Will your employer dig up your arrest 40 years ago?

May 5, 2012

Yolanda Quesada loved her customer service job at Wells Fargo Home Mortgage in Milwaukee. She hoped to retire from there someday.

Last week, she was fired. The reason: She shoplifted in 1972.

Really? A minor stumble 40 years ago means she's not fit to answer the phone and help people with their mortgage questions? She doesn't handle money as part of her job.

"I just got the FBI report on Saturday in the mail. Monday, they said you're fired. They never let me say what happened, explain myself, nothing," said Quesada, 58, who lives on the west side.

This is a woman with a stack of recognition awards, service excellence pins, certificates of appreciation and, just recently, an honor for being with the company five years. The full-time job paid \$33,000 a year.

Now, they're turning her past inside out. The termination letter says the result of the background screening means she's no longer eligible to work at Wells Fargo.

On Friday, company spokesman Jim Hines said, "Due to legal requirements and changes in the regulatory environment, Wells Fargo Home Mortgage has been performing a thorough background check on all mortgage team members that includes a fingerprint check with the Federal Bureau of Investigation since 2010 on new employees, and on existing employees since last year.

"Because Wells Fargo is an insured depository institution, we are bound by federal law that generally prohibits us from hiring or continuing the employment of any person who we know has a criminal record involving dishonesty or breach of trust."

I hope this also applies to the crooked top executives of some of America's biggest banks. They always seem to land on their feet.

Wells Fargo hired a worldwide company called First Advantage, which turned to the FBI and other sources to examine Quesada's past.

They found two shoplifting arrests, both from 1972. Quesada was 18. She admits she stole clothing from a Milwaukee department store on both occasions. The letter from First Advantage says she was fined \$50 for the first, and placed on one year of probation for the second.

Not to make excuses, Quesada said she was one of 12 children in her family and money was tight and she needed something to wear to work. She's ashamed of the youthful indiscretion now.

"I changed my life. I went to school. I went to college. I didn't graduate, but I did go and try to be a good person," she said.

You wonder how long the minor infractions from our teen years should be held against us. Obviously, Wells Fargo thinks the answer is 40 years or more. She was walked out of the office where she worked at 11200 W. Parkland Ave. She's not certain if other employees were terminated, too.

"We cannot comment on Ms. Quesada's situation specifically," Hines said, "other than to say she was not terminated for performance. In addition, the re-screenings are not part of a downsizing initiative."

Quesada is not accused, at least in the termination letter, of lying to Wells Fargo about the offense when she first applied. She recalls being asked only if she had any felonies in her past.

The background report listed one other arrest. In 2001, Quesada was taken into custody on suspicion of battery after a man she later married made an accusation against her. Actually, he had fallen at work and injured himself that way, she said. The case was never charged.

When they say in the song that "this will go down on your permanent record," they're not kidding. Nobody from First Advantage would comment on how deep they had to dig. It's not clear if the shoplifting cases were handled as tickets in Municipal Court or minor crimes in Circuit Court. There's no mention of them in Wisconsin's computerized court records, CCAP, but that's probably because they're too old. No other crimes by Quesada show up there, either.

Quesada stands a good chance of qualifying for unemployment benefits, even if Wells Fargo challenges her, according to an official at the state Department of Workforce Development.

Quesada said she was told by supervisors that the company pays particular attention now to the banking industry being accountable. "They said Wells Fargo wants to portray a very high image," she said.

I doubt what happened to Quesada will help with that.

"I want my job back," she said. "That's where I am right now."

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