**SECTION: EMPLOYMENT INFORMATION**

**POLICY:** Criminal History Check **EFFECTIVE DATE:** insert date adopted

**STATEMENT OF PURPOSE:**

Criminal background checks are crucial for the City to ensure workplace safety, mitigate risks of theft or violence, and protect company reputation, while also complying with legal regulations.

**DEFINITIONS:**

1. Criminal History checks include:
   1. Review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
      1. The nature of the crime and its relationship to the position.
      2. The time since the conviction.
      3. The number (if more than one) of convictions.
      4. Whether hiring, transferring, or promoting the applicant would pose an unreasonable risk to the City, its employees or its citizens, customers and vendors.

**APPLICABILITY:**

This policy is applicable for all employees who have received a contingent offer of employment, internal promotion to a position requiring a recheck, or for cause as part of an internal investigation.

**PROCEDURES:**

1. All offers of employment at the City are contingent upon clear results of a thorough criminal background check. Criminal background checks will be conducted on all final candidates for employment. [Civil Service may have different criteria for pass/fail.][Check City policy for criminal history check for promotions or internal investigations.]
   1. The following additional background searches will be required if applicable to the position:
      1. Motor Vehicle Records**:** provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.
      2. Credit History**:** confirms candidate's credit history. This search will be run for positions that involve management of the City’s funds and/or handling of cash or credit cards.
2. Process [The process may be different and conducted by Police Department for civil service employment]
   1. Final candidates must complete a background check authorization form and return it to Human Resources.
   2. Human Resources will order the background check upon receipt of the signed release form, and either internal HR staff or an employment screening service will conduct the checks. A designated HR representative will review all results.
   3. The HR representative will notify the hiring manager regarding the results of the check. In instances where negative or incomplete information is obtained, the appropriate management and the director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a criminal background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements that will be handled by Human Resources in conjunction with the employment screening service (if applicable).
   4. Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.
   5. The City reserves the right to modify this policy at any time without notice.