

BACKGROUND CHECK POLICY

1.0 Purpose

- 1.1 To establish general guidelines for the level of background check to be conducted on potential employees prior to employment.

2.0 Scope

- 2.1 To insure that there is a clear understanding of the type of background check required for potential employees performing specific job functions.
- 2.2 The Director of Human Resources will establish which positions are covered for each level of background check.

3.0 Policy

3.1 Hiring Department Responsibilities

Background checks are not begun until the candidate is notified that they are a finalist, and then they'll be sent a release form to be completed in order to begin the background check. This allows a candidate to notify employers and references. Until that time, all applicant information is considered confidential.

The hiring department is responsible for talking with personal references. Following these checks, the department head recommendation should be made to the Human Resources Department, which will coordinate the appropriate background check.

3.2 Criminal Conviction Background Check

- Only convictions will be considered. Arrests records will neither be sought nor considered in connection with employment. However, if information regarding an applicant's arrest is learned about during the hiring process, information relating to the crime for which the applicant is charged, independent of the arrest itself, may be considered but only upon approval of Human Resources.
- Criminal convictions consist of adjudications of guilt in a criminal proceeding, pleas of guilty, pleas of *nolo contendere*, or dispositions under applicable state or federal law. Convictions that have been expunged or pardoned are not considered to be convictions for purposes of this policy.
- Criminal convictions will not automatically disqualify an applicant from employment unless required by law. Rather, the relevance of a conviction will be considered on a case-by-case basis to assess whether the conviction makes the applicant unfit for the position sought. Where applicable law does not cause a conviction to disqualify an applicant, the following factors must be considered with respect to any reported convictions: The number of convictions, the length of time that has elapsed since the conviction(s), the seriousness and nature of the violation(s), the facts and circumstances giving rise to the conviction(s), rehabilitation efforts (*e.g.*, education/training), performing the same type of work post-

conviction with no known incidents of criminal conduct, employment history pre- and post-conviction, references, and the nature of the position sought.

- Additional input from the applicant should be sought to obtain the information necessary to allow consideration of each of the above factors. If the applicant fails to provide the requested information in a timely manner, answers dishonestly or is otherwise nonresponsive or uncooperative, the applicant should be disqualified from consideration.
- An applicant's race, national origin, gender, religion, disability status and citizenship status shall not be considered in terms of whether a conviction should disqualify the applicant.
- Applicants who fail to disclose a conviction on the application form that is subsequently disclosed on a criminal history background check may be disqualified from consideration on grounds of dishonesty. However, prior to disqualifying the applicant, the applicant should be afforded the opportunity to explain his or her omission of the conviction. If the applicant provides a credible and legitimate explanation for not disclosing the conviction (*e.g.*, the conviction was expunged, the record is in error), then disqualification should not occur as a result of the omission of the conviction on the application.
- Human Resources must approve all applicant disqualifications relating to an applicant's criminal conviction history.

3.3 Police and Fire Department Employees

Candidates for both the Police and Fire Departments will receive a thorough background check, including a comprehensive criminal check, reference checks with neighbors and former employers. These will be conducted by the Police Department in conjunction with the City's background service. Federal and State fingerprint checks for Fire personnel will be processed through the Illinois State Police. **Allow two to three weeks for completion of these checks.**

3.4 Finance, IT and Other Employees Who Handle Money or Work with Children

Candidates in these categories will receive a thorough background check, including a comprehensive criminal check, education and employment verification, Social Security trace report and a driver's license check. Federal and State fingerprint checks will be processed through the Illinois State Police. **Allow two weeks for completion of these checks.** Timeframe is dependent on how quickly the applicant returns the release form.

3.5 Other Fulltime Employees

Candidates in this category will receive a comprehensive criminal check, education and employment verification, Social Security trace and a driver's license check. Federal and State fingerprint checks will be processed through the Illinois State Police. **Allow two weeks for completion of these checks.** Timeframe is dependent on how quickly the applicant returns the release form.

3.6 Fulltime Commercial Driver's License (CDL) Holders


Candidates in this category will receive a comprehensive criminal check, employment verification, Social Security trace, driver's license check and a DOT compliance check. Federal and State fingerprint checks will be processed through the Illinois State Police. **Allow two weeks for completion of these checks.** Timeframe is dependent on how quickly the applicant returns the release form.

3.7 All Other Part-time Employees

All employees will have a criminal records search and a Social Security trace. Those who operate City vehicles will also receive a driving history check prior to employment or reemployment, in the case of returning seasonal employees. **Allow one week for completion of these checks.**

4.0 **Distribution**

Employee Information Site, www.citylf.org under HR/Personnel Policies.



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