

City of _____
Policy Language on Background Checks

Subd. 5. Background investigations. A final applicant for a city position will be subject to a criminal history investigation. The _____ Public Safety Department is authorized to conduct a criminal history background investigation on applicants who are finalists for city employment, all volunteers who work in conjunction with children and/or vulnerable adults and independent contractors. Before the investigation is undertaken the finalist, volunteer or contractor must give authorization to the Public Safety Department in writing to undertake the investigation and to release the information to the Human Resources Manager and other appropriate city staff. Upon the request of the manager or designee, the Public Safety Department must obtain and provide additional background information about certain employment, volunteer or independent contractor candidates, such as: (Amended, Bill No. 2000-10)

(a) status and history of drivers' licenses for candidates who may be responsible for operating city vehicles or receiving city reimbursement for operating their own vehicles,

(b) background check and criminal history check through fingerprints to determine whether a candidate who may have substantial contact with juveniles is the subject of any reported conviction of Child Protection Background Check Act crimes,

(c) thorough background screening, investigation, state and national arrest and fugitive record checks, and state and national III record checks by fingerprints from candidates who would have access to operate, program, effectuate access to a National Crime Information Center (NCIC) terminal or initiate transmission of NCIC information. (Added, Bill No. 1995-10, Sec. 26; Amended, Bill No. 2000-10)

Subd. 6. Disqualification of applicant due to background investigation. No person shall be disqualified from employment with the city solely or in part because of prior conviction of a crime or crimes – unless the crime or crimes for which convicted directly relate to the position of employment sought. In determining if a conviction directly related to the position of public employment sought, the hiring authority shall consider the requirements of Minnesota Statutes Chapter 364. Should the City reject the finalist's request for employment due, partially or solely, to the applicant's prior conviction of a crime, the Human Resources Manager shall notify the finalist in writing of the following:

(a) the grounds and reasons for the denial;

(b) the applicable complaint and grievance procedure set forth in Minnesota Statutes Section 364.06;

(c) the earliest date the applicant may reapply for employment, and;

(d) that all competent evidence of rehabilitation will be considered upon reapplication.