

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

CRIMINAL RECORDS CHECKS

**SECTION 2.04.1
PAGE 1 OF 2**

- A. Any applicant for employment who is under final consideration for a position shall undergo a criminal records check. Any applicant for employment as a person responsible for the care, custody or control of a child, must undergo a BCI criminal records check. (ORC 109.572 – 5153.111)
- B. Each SCAA shall determine the positions subject to this policy within the Appointing Authority's respective department.
- C. An Appointing Authority shall terminate the employment of any person covered by this section who has been convicted of or pleaded guilty to any of the prohibited offenses listed in ORC 5153.111 and 109.572 or if the results of the criminal records check is not received within thirty (30) days after being submitted to the Bureau of Criminal Identification and Investigation (BCI&I).
- D. Each applicant subject to this section shall be provided the following at the time the person requests an application for employment:
 - 1. A copy of this policy;
 - 2. A copy of the BCI&I form for authorizing a criminal records check with the employment application.
- E. Each applicant subject to this section shall be informed at the time of initial application for a position that involves providing direct care of an older adult or child, that the applicant will be required to provide a set of fingerprint impressions and undergo a criminal records check if the applicant comes under final consideration for employment.
- F. The applicant shall submit the completed employment application form and the signed BCI&I authorization form before being considered for employment.
- G. If an applicant comes under final consideration for employment, the applicant may be required to:
 - 1. Submit a set of fingerprint impressions on the form provided by BCI&I, in the manner prescribed by the Employer;
 - 2. Complete an affidavit declaring place or places of residency for the preceding five (5) years and have it notarized and/or provide other acceptable proof of such residency (e.g., income tax returns, previous work records, proof of rent or house payments, W-2 statements, etc.); and

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

CRIMINAL RECORDS CHECKS

**SECTION 2.04.1
PAGE 2 OF 2**

3. Submit to any other pre-employment procedures as provided in this Manual.

- H. The Bureau of Criminal Identification and Investigation (BCI&I) shall perform the criminal records check. If the applicant does not present proof of having been a resident of Ohio for the five (5) year period immediately preceding the date the record check is requested, BCI&I shall request information about the applicant from the FBI.

- I. The SCAA may, subject to this policy, conditionally hire an employee prior to receiving the results of the criminal records check. The SCAA must submit the request to BCI&I within five (5) business days after the individual begins conditional employment.

However, no applicant will be conditionally hired prior to receiving the results of the applicant's criminal records check unless the applicant agrees to sign an acknowledgement and waiver form. The acknowledgement and waiver form shall include statements wherein the applicant recognizes the conditional terms of employment and agrees not to appeal any termination of said employment implemented in accordance with this policy.

- J. The report of any criminal records check conducted pursuant to this policy is not a public record for purposes of O.R.C. §149.43 and, therefore, shall not be made available to any person other than the following:
 1. The individual who is the subject of the criminal records check or the individual's representative;
 2. The administrator of the facility, agency, or program requesting the criminal records check or the administrator's representative;
 3. The administrator of any other facility, agency, or program that provides direct care to older adults or children that is owned or operated by the same entity;
 4. A court, hearing officer, or other individual involved in a case dealing with a denial of employment of the applicant.

- K. Any applicant who has been provided with the BCI&I authorization form and fingerprint impression sheet who fails to complete the form or provide fingerprint impressions shall not be employed in any position for which a criminal records check is required.