



## Human Resources

### Criminal Background Check

Approved: 08/21/14

#### **POLICY:**

Lincoln County will conduct criminal background checks on all applicants that are selected as final candidates to fill either full-time, part-time or temporary positions. It shall be the responsibility of Human Resources to conduct and evaluate criminal background checks within the guidelines as described in this Policy. When implementing this Policy, the County will ensure fair and unbiased treatment regardless of gender, race, color, disability, national origin, marital status, religion, or other protected class of a candidate and will comply with the Fair Credit Reporting Act, Americans with Disabilities Act, Equal Employment Opportunity Commission guidance, and other Federal and State laws.

#### **PURPOSE:**

The purpose of this policy is to ensure employees hired by Lincoln County have not committed crimes or infractions that prohibit them from performing or limit their performance in the job for which they are applying.

#### **PROCEDURE:**

A criminal background check is required for all positions, (full-time, part-time, and temporary) within Lincoln County.

1. Human Resources will request applicants who are finalist for the position being filled, to complete a criminal background check consent form. Refusal to sign a Disclosure Authorization Statement will constitute grounds to discontinue any employment consideration for that candidate.
2. Human Resources will work with a contracted agency to conduct the background check. Background checks will be done at the same time that drug screenings are done for applicants. The results will be available within 24-48 hours.
3. Candidates may be disqualified for a position if it is determined that their previous criminal history, driving history, or credit report would prohibit them from performing or interfere with their performance of the job for which they are applying. All background checks will be discussed with Department Directors on an as needed information basis.
4. It shall be the responsibility of management to maintain background check results in a highly confidential manner.

5. Human Resources, under the direction of the County Manager, will be responsible to qualify/disqualify applicants to hire for all County departments, with the exception of the Sheriff's Office, Communications Center, and Social Services Department. The exception applies to those departments because they are required to conduct a more stringent background check based on State and/or Federal requirements.
6. Should there be a disagreement between the Human Resources and the Department Director on the results of the background check, the County Manager shall have the final authority.
7. Applicants have certain rights under the Fair Credit Reporting Act. For more information, the applicant has the right to contact the contracted agency to request a copy of the report.
8. The Grievance and Appeal process outlined in the Lincoln County Personnel Policy does not apply to applicants.

**FORM ATTACHED:**

Authorization and Release to Obtain Information Form

**FOR MORE INFORMATION CONTACT:** Human Resources Director

Reviewed & Approved: W. Tracy Jackson  
W. Tracy Jackson, County Manager

08/21/14