

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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Purpose:

To establish County policy for conducting pre-employment background and reference checks on potential new hires and for promotion to high-level and risk-sensitive positions, as defined herein.

Policy:

Employees

It is the policy of the Board of Supervisors to have pre-employment and pre-appointment reference and background checks conducted on potential new hires and for all regular and temporary positions, and for promotional candidates for specified high-level and risk-sensitive positions.

The successful operation of organizational units within the County of Riverside is dependent upon selection of individuals who possess the skills, knowledge, abilities and valid credentials required of their position; and have the personal and professional attributes that will enable success in the position to which they are appointed. In addition, those selected for high level positions should have a demonstrated history of responsible and effective leadership.

To enable appointing authorities to make well-informed selections/placements, a criminal records check will be conducted prior to every new hire or rehire following a break in service, but excluding reinstatement, for regular and temporary employment at the County of Riverside. The components of the pre-employment background and reference check, including the criminal records check, are established by the Human Resources Department based on the classification and job assignment. Background and reference checks, including a Live Scan criminal records check, are also to be conducted prior to promotion into positions at the Deputy Director level or higher, or other sensitive positions.

Non-Employees

It is the policy of the Board of Supervisors to have pre-appointment and pre-selection background checks conducted on potential volunteers, interns, and contractors for risk-sensitive assignments, internships, and contracts. The components of the background check, including the criminal records check, are established by the Human Resources Department based upon the assignment, internship, or contract. Risk-sensitive is defined for non-employees as any volunteer assignment, internship, or contract involving:

1. The care or supervision of patients, children, the elderly, the disabled or the mentally impaired;
2. The access unsupervised by County staff to patients, children, the elderly, the disabled or the mentally impaired;
3. The care or handling of animals;

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4. The direct access to prescription drugs or other controlled substances;
5. The handling of cash;
6. The use of or access to non-public, confidential information;
7. The use of or contact with hazardous substances, dangerous equipment or materials, or unsafe environments;
8. The use of a County identification badge or a building access card;
9. The use of a County vehicle or personal vehicle used for County business;
10. The use of password-protected County information systems; or
11. The issuing of public assistance benefits.

The Human Resources Director may waive the background check for non-employees meeting the risk-sensitive criteria if some factor sufficiently mitigates the risk, such as the brief duration of the volunteer assignment, internship or contract.

Policy Amplifications:

Background and reference checks are used to verify information provided by the applicant and to obtain additional information (i.e., a criminal record and/or significant job-related problems in prior employment) to determine suitability for the position for which they are being considered.

The Human Resources Department contracts with third party investigative consumer reporting agencies to conduct background and reference checks. In addition, the Human Resources Department performs Live Scan fingerprint checks.

It shall be the policy of the County for the following steps to be taken prior to extending formal offers of employment:

1. Obtain as much job-related information as possible from the current and former employer(s) of potential hires.
2. Verify degrees, licenses and other job-related credentials and current status of same.
3. Conduct criminal background and public records checks.

The background check is solely intended for determining an individual's initial employability, promotability, and/or acceptability as a provider of public services. Applicants will not be cleared for hire until their background checks have been completed and approved through Human Resources, unless the Human Resources Director approves a special exemption pending receipt of the background report. The Human Resources Director may waive the background check for any employee in a regular position, the compensation for which is fixed on an hourly or piecework basis, if the employment is intermittent or occasional in character and not on a full time basis.

Applicants must complete and sign the appropriate disclosure, release and authorization forms prior to the County accessing background check information. Applicants are consumers and are

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entitled to protections under the Federal Fair Credit Reporting Act (FCRA) and the California Investigative Consumer Reporting Agencies Act (ICRAA).

Background check records are managed in accordance with Board Policy A-43, County Records Management and Archive Policy. As recommended by the California Department of Justice (DOJ), Criminal Offender Record Information (CORI) records (i.e., the protected records maintained by DOJ and FBI) related to background checks shall not be stored electronically and will be destroyed after the hiring or licensing determination. Destruction of this information shall be to the extent that the identity of the individual can no longer be determined. Pursuant to Penal Code section 11105(t), a copy of the CORI will be expeditiously furnished to the person to whom the information relates if the information is a basis for adverse action.

Background check fees are paid by the hiring, appointing, or selecting department. If a department is providing career training or work experience through a volunteer service assignment, such as in an unpaid professional internship, the department may require that the volunteer pay the background check fees.

Departments conducting background checks will maintain departmental background check policies and procedures for completing and approving background checks. Such policies and procedures will be reviewed by the Human Resources Department to confirm that they meet or exceed Board Policy requirements and comply with applicable laws and regulations. Changes to departmental policies must be reviewed by and kept on file with the Human Resources Department.

Reference:

Minute Order 3.18 of 02/15/05
Minute Order 3.3 of 04/10/07
Minute Order 3-25 of 07/16/13