

CITY OF LAUDERDALE

CHAPTER 9

CRIMINAL HISTORY BACKGROUND CHECKS FOR APPLICANTS FOR CITY EMPLOYMENT

SECTION:

5-9-1: Purpose

5-9-2: Criminal History Employment Background Investigations

5-9-3: Written Consent by Applicant

5-9-4: Rejection of the Applicant

5-9-1: PURPOSE:

The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specifically non-criminal purposes of employment background checks for the positions described in Section 5-9-2.

5-9-2: CRIMINAL HISTORY EMPLOYMENT BACKGROUND INVESTIGATIONS:

The city's contracted Police Department is hereby authorized to do criminal history background investigations on all full-time, part-time, and seasonal applicants who have been selected for an interview by the City unless the city's hiring authority concludes that a background investigation is not needed.

In conducting the criminal history background investigation in order to screen employment applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained by the Police Department under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Police Department to the hiring authority, including the City Council, the City Administrator, or other city staff involved in the hiring process.

5-9-3: WRITTEN CONSENT BY APPLICANT:

Before the investigation is undertaken, the applicant must authorize the Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minnesota Statutes Chapter 13 regarding the collection, maintenance and use of the information. Except for the positions set forth in Minnesota Statutes Section 364.09, the city will not reject an applicant for employment

on the basis of the applicant's prior conviction unless the crime is directly related to the position of employment sought and the conviction is for a felony, gross misdemeanor, or misdemeanor with a jail sentence.

5-9-4: REJECTION OF THE APPLICANT:

If the City rejects an applicant on this basis, the City shall notify the applicant in writing of the following:

- A. The grounds and reasons for the denial.
- B. The applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06.
- C. The earliest date the applicant may reapply for employment.
- D. That all competent evidence of rehabilitation will be considered upon reapplication.

As adopted, October 23, 2012.