

Agency Name

Transit Policies and Procedures

Subject	Criminal Background Checks
Section	Personnel
Effective Date	
Approved By	
Approval Date	

Purpose

Develop a policy to perform criminal background checks on all potential employees.

Definitions

Criminal Background Check: A legal investigation that is performed to uncover criminal history.

Conviction: A formal judgement of guilt entered by a court.

Procedure

Perform a criminal background check on all potential employees. Categorize these records based on if/when convictions occurred: no convictions, conviction(s) within the past ten years, or conviction(s) within the past five years. If the applicant falls within one of the conviction categories, the applicant cannot be hired unless there is explicit consent from the Agency.

Responsibilities

It is the responsibility of the Agency's hiring department to order the criminal background checks and enforce the policy.

Example

If the criminal background record shows any of the following criteria, the applicant shall not be hired by the Agency.

- Conviction occurring anytime in the past
 - Conviction involving physical harm or attempted physical harm to a person
 - Conviction involving offense or attempted offense against a child, an elderly person, or person with a disability
 - Conviction involving offense or attempted offense involving firearms, drugs, fraud, identity theft, forgery, or theft
 - Conviction for an offense related to reckless driving, OVI/DUI, or reckless homicide while operating a vehicle
- Conviction occurring within the past ten years
 - Felony conviction of any type
- Conviction occurring within the past five years

This policy or procedure is intended to be used as an example. It should be customized to each transit agency. Review by a legal expert is recommended.

- Conviction for any traffic crime such as driving under the influence, reckless driving, attempting to elude a police officer, leaving the scene of an accident, etc.