**Agency Name**

**Transit Policies and Procedures**

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| --- | --- |
| **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
  + 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.