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## **BACKGROUND**

It is the responsibility of the Corporation to ensure that when selecting candidates for employment, or when utilizing volunteers or students, that such persons are not a potential risk to the safety of persons under the Corporation's care or to the assets of the Corporation. Persons who have a record of offences may pose such a risk depending upon the job function for which they are being considered.

## **APPLICATION**

This policy refers only to Criminal Code offences for which a pardon has not been granted and applies to all candidates applying for positions of employment at the Corporation of the County of Elgin. In the Homes, volunteers, including those individuals who are involved with a work experience placement or co-operative education placement, who provide direct service to residents will also be covered under this policy.

Individuals who provide short term or one-time volunteer services (e.g. Friendly Visiting, school visits) under the auspices and supervision of a volunteer organization, service club or educational institution do not require a criminal record check. It is understood that the supervising organization will ensure that their volunteers are appropriately screened. Further, students who participate in one-day or job shadowing visits do not require a criminal record check.

A positive criminal record check does not necessarily preclude the candidate from employment. The nature of, and circumstances surrounding, the charges and convictions will be reviewed by the Human Resources Department, as they relate to the position for which the individual is being considered. A record of offences or criminal charges that are a potential risk to residents will render the candidate's application rejected. The decision made by the Human Resources Department to preclude a candidate from employment may be appealed. The candidate will put in writing the appeal and present it to the Director of Human Resources who shall review the material with the affected Department Head and the Chief Administrative Officer. Their decision will put in writing and given to the candidate.

A candidate subject to pending criminal charges may also be considered unemployable for the position for which he/she is applying.

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## **PROCEDURE**

1. Applicants will be informed through job advertisements, during their interview for employment, volunteer work or an educational/work experience placement, that a criminal record search is a factor for consideration for employment/placement and will be provided with the appropriate information to assist them.
2. The candidate will obtain a form titled *RELEASE AND DISCHARGE RELATING TO CONSENT TO DISCLOSURE OF CRIMINAL RECORD INFORMATION* from the appropriate Police Department in the area that they live.
3. The candidate will submit the completed Criminal Record Search, in a timely manor, to the Human Resources Department.
4. Human Resources will review the status of the candidate's potential for employment based on the outcome of the Criminal Record Check and other pre-employment requirements (i.e. employment reference checks, employment medical, etc.).
5. The County of Elgin reserves the right to request updated Criminal Record Checks of employees during their employment with us.

In the event of a positive Criminal Record Check, the candidate may be asked to provide in writing to the Human Resources Department, the particulars surrounding the charges/convictions listed. The candidate may then have the opportunity to meet with Human Resources to discuss the results of the check.

Human Resources will review the offence, taking into consideration:

1. the nature of the offence;
2. sentencing received;
3. the length of time since the offence was committed;
4. the relevance of the particular conviction to the position for which the candidate is being considered;
5. the risk posed to residents as a result of employing the candidate in the position.

Once a final decision has been made regarding employment, Human Resources will ensure that the confidentiality of any candidate's Criminal Record Search is maintained and secured in the Human Resources Department.

The County of Elgin is an equal opportunity employer and carries out hiring based on non-discrimination of the Human Rights Code.