

<b>Procedure Title:</b>	Background Checks on Institution DHS Employees				
<b>Procedure Number:</b>	DHS-060-010-02	<b>Version:</b>	1.0	<b>Effective Date:</b>	Upon Approval

DHS Chief Administrative Officer

01/26/2010

Approved By: (Authorized Signer Name)

Date Approved

## Procedure

This procedure applies to any the following: Addictions and Mental Health, Oregon State Hospital, Secure Residential Treatment Facilities and State Operated Community Program new hire, promotion, demotion, direct appointment, re-employment, job rotation/developmental assignment, transfer, temporary hire, agency temporary hire or applicant. It does not apply to transfers or rotations within the same unit and the same class, or temporary-to-permanent within the same class. For trades positions the criminal history check may be performed to determine eligibility to be on a certification list.

Step	Responsible Party	Action
1.		Offer of Employment to the Selected Candidate
	Hiring Manager	Makes the <b>offer</b> of employment to the <b>selected</b> candidate without setting a hire date. Once the selected candidate accepts the offer, the hiring manager advises the selected candidate that the start date is contingent upon the outcome of the preliminary review of the criminal and abuse history. Informs the selected candidate that the current job offer is contingent upon the outcome of the <b>complete</b> background check.
2.		Submitting the Selected Candidate's 301HR Request
	Interview Coordinator <b>Note:</b> The hiring manager is <b>not</b> allowed to review any of the 301HR forms that have been completed by applicants.	Opens the selected candidate's sealed envelope and faxes the completed 301HR request form to the OSH/SOCP Human Resources Office. Secures the selected candidate's original 301HR request with the other final interview candidates' sealed envelopes. <b>Note:</b> Only the selected candidate's 301HR is sent in. All other final candidates' completed 301HR requests should remain sealed and only sent in if the selected candidate's criminal history is not approved and you offer employment to the next finalist.
3.		Background Check
	OSH/SOCP Office of Human Resources	Reviews the selected candidate's 301HR request form for completeness. <b>Note:</b> Incomplete applications will be returned to the sender to provide required information.

		<p>Runs records to determine suitability for beginning work while the criminal history check is being completed. Notifies the hiring manager whether a hire date may be set.</p> <p><b>Note:</b> If the employee begins work while waiting for the results of the criminal history check, <b>active supervision is required</b> under OAR 410-007-0070(1)(d) and the employee is <b>not authorized</b> to drive on state business.</p> <p>Conducts an Oregon criminal history, driving records and abuse check on the selected candidate's 301HR request.</p> <p>Informs the hiring manager and HR Generalist via email that:</p> <ul style="list-style-type: none"> <li>• The selected candidate is "approved", or;</li> <li>• Based on potentially disqualifying history, the results have been forwarded on to the Office of Human Resources to conduct the final fitness determination, or; that</li> <li>• A national check is required and to obtain fingerprints from the selected candidate. Fingerprints must be submitted within <b>21 days</b>. If fingerprints are not received within 21 days, the case will be closed and the employee will not be eligible for employment and must be removed from the job, if already working.</li> <li>• Processes the fingerprint card (MSC 0258) when received. Reviews national criminal history results.</li> <li>• Informs the hiring manager via email that:</li> <li>• The selected candidate's request is "approved", or Based on the results, the history has been forwarded on to the Office of Human Resources to conduct the final fitness determination.</li> </ul>
	Senior HR Manager/HR Generalist	<p>Reviews the selected candidate's 301HR. Gathers any additional information needed to conduct the final fitness determination.</p> <p>Conducts the final fitness determination, including weighing test, in consultation with HR Management, to determine if the request is "approved", "closed" or "denied".</p> <p>Communicates the outcome to the hiring manager, the selected candidate and the Institution HR.</p>
4.		If the Selected Candidate's Request is Denied
	Senior HR Manager/HR Generalist	<p>Notifies the candidate by letter and provides information regarding the right to appeal, a copy of their 301HR and Hearing Request 299HR.</p> <p>Department employees and individuals offered employment have 15 calendar days</p>
	Hiring Manager	Initiates the CHC process (step 3) to begin for the next selected candidate.
5.		Processing Hearing Requests
	Background Check Unit	<p>Receives the Hearing Request within 15 days of denial date. Sends a letter to the subject individual to request more information within 14 days.</p> <ul style="list-style-type: none"> <li>• If a response is not received, the case is closed for</li> </ul>

		<p>lack of participation.</p> <ul style="list-style-type: none"> <li>• If a response is received, evaluates the criminal and abuse history, all information provided by the subject individual and gathers additional information necessary to prepare the case.</li> <li>• Sends notification to the Office of Administrative Hearings. Prepares the case and represents DHS in the Hearings.</li> </ul>
	Senior HR Manager/HR	Provides assistance and participates in the hearings process as needed.
6.		Destruction of 301HR Request Forms
	Interview Coordinator	Once the final candidate's criminal history request has been completed, the Management Service Representative destroys all 301HR forms from the unselected candidates, all fingerprint cards and any other related information within 30 days of the approval date of the final selected candidate.

### Policy that applies:

DHS-060-010, Background Checks

### Form(s) that apply:

None

### Contact(s):

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### Procedure History:

- **Version 2.0:**
  - 02/01/2012 Contact information updated
  - 01/01/2010 Update includes implementation of abuse and neglect check. Changes to all institution employees
- **Version 1.0:**
  - 12/01/2008 Initial Release

### Keywords:

(List keywords here that might be used by someone to search for this policy on the internet)