

GENERAL MANUAL POLICY

APPROVED BY:



Executive Director

CATEGORY: Human Resources

TOPIC: Criminal Reference Check

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POLICY

In accordance with the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*, Community Living Thunder Bay will conduct a Police Vulnerable Sector Check (PVSC) from the Thunder Bay Police or the Ontario Provincial Police before hiring a candidate as an employee, volunteer, student, or in any position which may have direct contact with persons who receive services and support from the agency.

It is the policy of Community Living Thunder Bay that all candidates will be informed whether it be for employment, volunteer, or student positions that an acceptable Police Record Check must be provided and is a condition of employment.

If a candidate, volunteer, or student is under the age of 18 they will not be required to obtain a Police Record Check, however upon turning 18 the employee must request a Police Record Check as soon as possible in order to remain employed with the Agency.

Therefore, failure to obtain a Police Record Check within the specified time period will result in termination of employment.

PURPOSE

Criminal Reference Checking is a precautionary measure which allows CLTB to establish whether employees, volunteers, or students have a criminal history that could possibly make them unsuitable for the position. It also assists in ensuring the safety and wellbeing of those individuals we support.

The purpose of this policy is to ensure Police Record Checks are obtained and documented in a consistent manner.

GENERAL MANUAL PROCEDURE

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PROCEDURE

Prior to commencing employment, all candidates will be informed during the interview and/or orientation process of the requirement to obtain a Police Record Check through their local police (such as Thunder Bay Police or Ontario Provincial Police). Third party Police Record Checks do not comply with ministry standards and are not accepted.

Candidates will be informed that it is their responsibility to obtain the Police Record Check as well as cover any cost associated with obtaining the check.

Upon a conditional offer of employment (pending the receipt of an acceptable Police Record Check) new hires will be provided a standard agency form 'Request for Police Record Check' to submit to the appropriate police station. The form will indicate who they are, their position, and job requirements which justify the type of police reference check they require. All candidates who will be in direct contact with people with developmental disabilities shall require a Police Vulnerable Sector Check (PVSC). Pending receipt of the Police Record Check all candidates shall complete the 'Criminal Offence Declaration' form.

CLTB will accept a previously searched Police Record Check if it was processed up to 6 months prior to the date of hire.

Once the candidate has applied for the Police Record Check at the local Police Department, CLTB will allow up to an eight-week delay in the processing of the Check. Pending the receipt of the Police Record Check no staff, volunteer, or student shall have direct contact with a person with developmental disabilities unless supervised.

Human Resources will track the receipt of all Checks and will follow-up with the candidate if a Police Record Check has not been forwarded to the Department after a four-week period. Failure to obtain a Police Record Check within an eight-week period will result in the withdrawal of the conditional offer of employment.

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The candidate will receive the Police Record Check directly from the police via email. It is the candidate's responsibility to provide the results of the Police Record Check to Human Resources immediately upon receiving it. The original Police Record Check will be maintained in the employee's personnel file. The Police Record Check is confidential and will not be viewed outside of Human Resources and Senior Management. Ministry staff will audit personnel files to ensure there is evidence the check has been completed but shall not review the information provided within any Police Record Check forms.

If a Police Record Check reveals no record of conviction, the offer of employment will proceed in the usual manner.

If the candidate has any charges which will appear on their Police Record Check they must disclose that information to Human Resources prior to signing the '*Criminal Offense Declaration*' form. Upon disclosure of a record of conviction, the Police Record Check may not automatically disqualify a candidate from being hired. The Human Resources Director will meet with the Executive Director to discuss the specific circumstances of the candidate's statement and the Police Record Check, and they shall come to a joint decision to determine whether an offer of employment should be made.

Should the results of the Police Record Check jeopardize the integrity of the position and/or the values of the Association, the candidate will not receive or maintain employment with the Association. If the candidate has not been granted a conditional offer of employment, they will be advised verbally and in writing that they have been unsuccessful in the competition due to an unacceptable Police Record Check. If the candidate has been granted a conditional offer, the offer of employment shall be revoked, and their employment terminated.

If an employee is charged with a criminal offense during their employment with the Association, the employee must notify their supervisor and/or Human Resources immediately. The Association will review and determine whether employment should be maintained.