

	<i>Administrative Regulation</i>	
	Background Checks	
	Policy#	16.3
	Effective:	10/22/2019
	Revised:	06/30/2025
	Owner:	Human Resources

Note: Terms in **bold** and *italics* throughout this policy are defined below.

PURPOSE:

This background check policy ensures the protection of employees and community members of the City.

SCOPE:

This regulation applies to all applicants, current employees, volunteers, interns, and contractors (hereafter collectively referred to as "applicants").

POLICY:

The City will conduct background checks for applicants prior to hiring or placement into a position. A background check may consist of, but is not limited to the following:

- Criminal History (International, Federal, State, County and Local)
- Driving Record
- Social Security Verification
- Employment Verification
- Professional License/Certification Verification
- Education Verification
- Sex Offender Registration (State and National)
- Reference Checks (Personal and Professional)
- Credit History
- Drug Screening
- Physical/Medical Evaluation
- Pre-Placement Fitness Evaluation
- Psychological Evaluation
- Motor Vehicle Records
- Address Verification
- Alias/ Name Check

PROCEDURE:

1. Applicant Duty to Disclose

- 1.1. Applicants must consent prior to the City performing the background check.

- 1.2. Applicants will be automatically disqualified for further consideration if they fail to fully and accurately complete the Background Check Authorization Form. Applicants eliminated due to a failure to disclose will not be eligible for reconsideration for another position for a minimum of three years.

2. Confidentiality

- 2.1. Information secured for the purpose of extending, maintaining, or retracting an offer of employment will be confidentially maintained.
- 2.2. For the purpose of making decisions, report contents or portions of the content may be shared with appropriate individuals who have a legitimate business need to know as determined by the Human Resources Director.
- 2.3. The background check for any applicant with a criminal history who is hired or appointed will become part of the confidential personnel file for that employee or volunteer. Access to personnel files is limited to authorized people or those sanctioned by law.

3. Relevancy of Convictions

- 3.1. A conviction does not automatically disqualify an individual from employment consideration unless it is determined to be a bona fide occupational requirement. The City will consider various factors in evaluating whether a conviction warrants revoking a conditional offer of employment:
 - 3.1.1. Nature and frequency of the offense(s),
 - 3.1.2. The time that has passed since the conviction,
 - 3.1.3. Completion of sentence or any other remediation, and
 - 3.1.4. Relevance of the conviction to the responsibilities of the position.
- 3.2. The following convictions will typically result in a withdrawal of a conditional offer of employment or appointment, including but not limited to:
 - 3.2.1. Homicide
 - 3.2.2. Manslaughter
 - 3.2.3. Criminal vehicular murder and injury
 - 3.2.4. Assault
 - 3.2.5. Kidnapping
 - 3.2.6. Criminal sexual conduct
 - 3.2.7. Simple and/or aggravated robbery
 - 3.2.8. Theft and/or burglary
 - 3.2.9. Terroristic threats
 - 3.2.10. Arson
 - 3.2.11. Violations of harassment and/or stalking.

4. General Provisions

- 4.1. In accordance with state law, the City does not inquire about criminal history during the application process or prior to an initial interview, unless the position has a bona fide occupational requirement (e.g., Police Department). The City's practice is to extend conditional offers of employment or appointment prior to conducting a background check.
- 4.2. Background checks may be conducted by a third-party vendor or by the Springfield Police Department. When performed by a third-party vendor, applicants are protected under the Fair Credit Reporting Act. When performing a background check by a third-party, individuals are protected under the Fair Credit Reporting Act. Applicants must sign the background check authorization and disclosure forms and be given a copy of the "Summary of Your Rights under the Fair Credit Reporting Act." Background checks conducted by the Springfield Police Department will conform to the requirements of Ordinance 6280 (adopted July 16, 2012).
- 4.3. The City will not consider arrest information unless the arrest resulted in criminal charges pending. In such circumstances, the applicant and/or law enforcement agencies will be contacted to obtain further information to assess the relevancy to the position in question.
- 4.4. Hiring an applicant, reassigning a current employee, or appointing a volunteer or contractor with a criminal history record will require the approval of the Human Resources Director, after full disclosure and consideration of criminal history.
- 4.5. At the discretion of Human Resources, and after determining job relatedness, an applicant with an unfavorable background may be disqualified from employment or consideration for a specific position. The written criminal history record on persons not hired or appointed as a volunteer will be retained in accordance with the requirements of OAR 166-200-0305.

5. Volunteers

- 5.1. Background checks may not be required for volunteers in the following limited instances:
 - 5.1.1. For those that volunteer for the City through another organization (City contracts with sponsoring organization to require background checks as part of contract terms);
 - 5.1.2. For self-contained events (e.g., street lighting refurbishment projects) where volunteers will not have unsupervised interaction with patrons or staff. This exception should be used sparingly and requires approval from Human Resources.

DEFINITIONS:

1. N/A

RESOURCES:

1. [ORS 659A.360 Restricting Criminal Conviction Inquires](#)
2. [Ordinance 6280 \(adopted July 16, 2012\).](#)