



CITY OF MANITOWOC
BACKGROUND CHECK POLICY

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I. PURPOSE

The City of Manitowoc believes that hiring qualified individuals to fill positions contributes to the overall success of the City. Reference and background checks serve as an important part of the selection process. This type of information is collected as a means of promoting a safer and more productive work environment for current and future City employees. Background checks also help the City obtain additional applicant related information that helps determine the applicant's overall employability and future conduct/performance, ensuring the protection of the current employees, citizens, property and information of the City.

All internal and external offers of employment at the City of Manitowoc are contingent upon clear results of a thorough background check. Background checks will be conducted on all external and internal candidates applying for a position requiring a background check, or as deemed necessary.

II. POLICY

The City Policy includes employment eligibility, verification of application information, reference checks, education verification, physical, drug, and psychological evaluation, criminal check, motor vehicle check, credit reports, employee record retention, background check policy and determination. Details regarding each area are outlined below.

A. Employment Eligibility

The City is required by law to check identity and authorization for employment in the United States. The Bureau of Citizenship and Immigration Services (BCIS) provides the I-9 form for the City to utilize in documenting verification of employment eligibility. This must be verified by the examination of acceptable documents presented by the candidate for employment and completion of the I-9 form within three (3) business days. The I-9 form will be completed by the Human Resources Department.

B. Verification of Application Information

The City may obtain references to confirm and supplement information in the resume or application. Additionally, the City may seek confirmation of background data (such as dates of employment, salary, position and duties, education, and professional licenses) and

competency with respect to certain job-related skills (such as attendance, dependability, judgment and initiative).

C. Reference Checks

The City may conduct a reference check on prospective employees. A reference check provides the City an opportunity to obtain information from other sources about the candidate's work history, determine to what extent the work experience of the candidate is related to City/departmental needs, and to identify job related problem areas. A thorough reference check should be completed prior to making any offer of employment. An employment offer will not be given unless the City obtains sufficient and satisfactory references.

D. Education/Certification Verification

The City will verify all education and certification(s) an individual listed on the application. The verification ensures the City that the selected applicant possesses all education credentials listed on the application or otherwise cited by the candidate that qualify the individual for the position sought. Verification of certain education and professional credentials is a necessity to ensure applicants meet the training/education and experience required for the position. The hiring department may elect to verify other information on the employment application forms. When an employee in a permanent or FTE position transfers from another City department, credentials that have been previously verified and documented in his/her personnel file may be exempted from re-verification.

E. Psychological Evaluations

All public safety positions (sworn Police & Protected Fire positions) shall complete a post-conditional offer psychological evaluation. The pre-employment psychological evaluation is a specialized examination of an applicant's psychological suitability for a position. A post-conditional offer psychological evaluation may be "medical" in nature and may produce evidence of a disqualifying mental health condition.

F. Physical and Drug Testing

All positions shall complete and pass a post-conditional offer physical and drug test. The pre-employment physical is an examination of an applicant's physical suitability for a position based on the job description. The doctor will assess if the candidate is a "pass". A post-conditional offer drug test is to determine the applicant's non-prescription drug use; a negative result will be considered "pass".

G. Criminal & Motor Vehicle Records

Applicants are required to respond to questions regarding convictions and pending criminal charges, if applicable, on the City's application form, and may be required to provide a separate listing detailing the convictions and pending charges. Pending criminal charges and conviction history information may not be used against candidates for employment, unless the conviction or pending criminal charge substantially relates to the circumstances of the particular job. In reviewing applicable convictions and pending charges, the City will consider the relationship between the conviction and the position, the nature of the conviction, the number of convictions, rehabilitation efforts and the applicant's fitness for the job.

A review of driving records is required for all City positions that involve operation of a motor vehicle. Prior to an offer of employment or promotion to a position that requires driving, the City may review the records indicated below against a specific set of screening criteria to evaluate whether the record is acceptable, questionable or unacceptable. In addition, the screening may also take into account how much experience is needed, and what types of vehicles and/or equipment the candidate used in the past.

H. Credit Reports

City positions that have responsibility for initiating or affecting financial transactions will be required to submit to a credit check. These responsibilities may include, but are not limited to: collecting or handling cash or checks, writing checks or approving them, access to a direct money stream or being a fiduciary to the City. For any position where a consumer or credit check is required, the check will be conducted by a consumer reporting agency, and will be held in compliance with all federal and state statutes and collected consistent with the guidelines set forth by the Fair Credit Reporting Act (FCRA).

I. Employee Record Retention

Information attained as part of the reference and background checks process will be used as part of the employment process and will be kept strictly confidential. The Human Resources Department will store and maintain the information obtained as part of a reference check. Any City employee who has authority to conduct a reference check should forward all pertinent documentation to the Human Resources Department. The Human Resources Department will only have access to this information, which will be kept separate from the employee’s personnel file.

J. City Positions Requiring Background Checks

We conduct the following background checks for employees and prospective employees based on the job they are applied for.

<u>Position</u>	<u>Type of Background Check</u>
Administrative Staff	Criminal
DPW Admin	Criminal
DPW Non-Admin (Streets, Parks, Cemetery)	Criminal, MVR
Engineering Staff	Criminal, MVR
Finance/Treasury Staff	Criminal, Credit
Firefighter	Criminal, MVR
Inspection Staff	Criminal, MVR
Library Staff	Criminal (Add after Library Board Approval)
Library Maintenance	Criminal, MVR (Add after Library Board Approval)
Library Cash Handling	Criminal, Credit (Add after Library Board Approval)
Police Sworn Officers	Criminal, MVR, Credit
Seasonal Staff (non CDL)	Criminal
Seasonal Staff (CDL)	Criminal, MVR
Supervisors/Managers	Criminal, MVR
Transit Drivers – CDL	Criminal, MVR
WWTF Operator	Criminal, MVR
Volunteers – Police	Criminal, MVR
Volunteers - Non-Police	None
Elected Officials	None

III. BACKGROUND CHECK PROCEDURE

After a verbal employment or promotion offer is made, a background check is performed on the chosen candidate if being hired or promoted into one of the roles mentioned above. Human Resources will review all results and consult with the City Attorney for any item that may need thorough review or investigation. The candidate is not to begin work prior to the hiring manager receiving approval from Human Resources.

Human Resources will notify the hiring manager regarding the results of the check. The offer of employment is contingent upon PASSING the background check. In instances where the candidate FAILS the background check, the offer will be rescinded. The candidate may apply for other positions that do not require passing a background check for a new position they are applying for.

Background check information will be maintained in a separate file and kept confidential. Background checks will be assessed for employees every five years. If any information changes within five years, the employee may need to be transferred into a position that does not require passing of a background check for a new position they are applying for..

IV. BACKGROUND CHECK DETERMINATION

The chart below displays the determination of a “failed” background check and the look-back time period. All employee background checks will be re-evaluated every five-eight years of employment or as the employee moves into another position that requires an updated background check.

Type of Background Check	Criteria that may result in a “FAIL” Background Check
Credit	For positions that require a credit check:
	Three or more incidents at 90 days late
	Percent utilization of revolving debt 90% +
	Bankruptcy filed 5 or less years ago
	One or more collections (other than Medical) 5 or less years ago
Criminal	For positions that require a criminal check:
	Felony
	Bank Fraud
	Child Abuse <10 years ago*
	Active warrants out for arrest
	For positions that work with children:
	Child Abuse <50 years ago*
	Sexual Assault/Predator <50 years ago*
	For positions that work with elderly:
	Domestic Abuse <10 years ago*
	For positions that work with animals:
	Animal Abuse <10 years ago*

MVR	For positions that require a valid driver's license or CDL:
	OWI < 5 years ago*
	Accident with fatality < 5 years ago*
	No valid license or expired license
	License revoked
	1+ Type A Violation(s) < 3 year ago*
	2+ Type B Violations < 3 year ago*
	3+ Type C Violations < 3 year ago*
	1 Type B and 2 Type C Violations < 3 year ago*

*based upon conviction date, not crime date.

MVR Definitions

Type A Violations: Includes, but is not limited to: driving with a revoked or suspended license, DWI, reckless driving, fleeing or evading police, resisting arrest, hit and run, failure to report an accident, involuntary manslaughter or negligent homicide using a motor vehicle, operating a motor vehicle for the commission of a felony, excessive speeding (15 mph above the posted speed limit), and drag racing.

Type B Violations: All at fault vehicle accidents.

Type C Violations: Includes all moving violations not classified as Type A or B: speeding, improper lane change, failure to yield, failure to obey a traffic signal or sign, and careless driving.

Note: CDL Operators will be requested to provide a ten year employment history as part of the application process (per Federal DOT standard 49 CFR), and must comply with the City Drug and Alcohol Free Workplace Policy and consent to testing as defined by the DOT and City policy.