



EMPLOYMENT POLICY MANUAL

Subject: Criminal Reference Checks	Approval Date: July 17, 2013	By-Law No. 1785-13
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3.2 PURPOSE

It shall be the policy of the Municipality of Red Lake to complete Criminal Reference Checks and Requests to Check Pardoned Sexual Offender Database for all successful full and part-time candidates of the Municipality of Red Lake.

At a minimum, Criminal Reference Checks will be completed for all successful full and part-time candidates.

1. POLICY PROCEDURE

1.1 This policy shall apply to all employees and volunteers.

1.2 This policy does not apply to Municipal Boards and Committees.

1.3 All successful candidates and volunteers will be required to authorize a Criminal Reference Check through the completion of O.P.P. Form LE219E – Consent to Disclosure, except those who may fall under the regulations of the Young Offenders Act.

1.4 All successful candidates for positions within the Child Care Department will be required to authorize a Criminal Reference Check through the completion of O.P.P. Forms LE219E and LE220E – Vulnerable Sector Check.

1.5 A Criminal Reference Check shall be deemed acceptable for the purpose of this policy if it was issued within six months of being presented for review. Any candidate who is unable to provide a current original copy of their Criminal Reference Check at the time of hiring shall be given a conditional offer of employment pending the receipt and review of their Police Reference Check. Failure to provide the Criminal Reference Check in a timely manner shall automatically rescind the conditional offer of employment. Employees working with vulnerable persons (Child Care Department) shall not go unsupervised for any period of time until the LE219E and LE220E forms are presented to the Human Resources Manager and the Supervisor.

1.6 Any fees chargeable by the O.P.P. for the Criminal Reference Check will be the responsibility of the Municipality of Red Lake.

1.7 An applicant whose Criminal Reference Check is cause for concern will be advised by the Human Resources Manager or Designate.

1.8 All information obtained through a Criminal Reference Check shall remain confidential.



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1.9 Criminal Reference Check (Form LE219E, LE220E,) shall be returned to the applicant or shall be destroyed immediately after a final decision regarding employment has been made.

1.10 The Municipality of Red Lake may, based on information related to illegal activity, at its discretion, upon receipt of a signed consent form from an employee, request Criminal Reference Checks be completed for all employees at any time during their employment.

2. POSITIVE REFERENCE CHECKS

2.1 If a candidate for employment provides a copy of a Criminal Reference Check with criminal record findings, a review of the specifics of the situation will take place. The Human Resources Manager and the Supervisor shall consult with the Chief Administrative Officer to determine if the specific content of the criminal record is relevant to the designated position and if the conditional offer of employment should be revoked. This confidential review shall take place in accordance with the Ontario Human Rights Code and the Municipal Freedom of Information and Protection of Privacy Act.

2.2 Employees who were initially hired with a requirement for a Criminal Reference Check shall immediately notify their manager or division head of any change that would negatively affect their original criminal record or driving record. Failure to do so shall be considered grounds for disciplinary action, up to and including dismissal. An existing employee being hired or moved into a designated position may be required to provide a copy of a current Criminal Reference Check for review. This requirement shall be identified on the job posting.

3. HUMAN RIGHTS ISSUES

The use of information obtained through the Canadian Police Information Computer System regarding outstanding criminal code charges and criminal code convictions for which a pardon has not been granted, does not contravene the *Ontario Human Rights Code*.