

RESOLUTION NO. 5-2009

A RESOLUTION PROVIDING FOR ADOPTION OF POLICIES TO SCREEN APPLICANTS THROUGH CRIMINAL BACKGROUND CHECK PROCEDURES, AUTHORIZING AIRFACTZ, INC TO PERFORM BACKGROUND CHECK INFORMATION ON APPLICANTS FOR EMPLOYMENT OR VOLUNTEER SERVICE, PROVIDING FOR A CRITERIA POLICY, PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clark Fork desires to develop a stronger organizational risk management program, an essential part of which is the recognition of potential risks and the taking of steps necessary to mitigate identified risks; and

WHEREAS, the City Council of the City of Clark Fork determines it is in the public's best interest that the City be responsible for performing and completing a review of criminal information records as allowed by law, including but not limited to the records of applicant finalists for employment or volunteer positions in all City of Clark Fork departments and for certain licensees; and

WHEREAS, State law requires exclusion from employment or volunteer activities based on specific criminal conduct on the part of the subject of record;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK FORK AS FOLLOWS:

Section 1. The City Council of the City of Clark Fork hereby authorize Airfactz, of Spokane Washington, to obtain criminal background information on applicants wishing to hold full time, part time, seasonal, temporary or volunteer positions with the City of Clark Fork.

Section 2. Requests for criminal information records shall be conducted and evaluated in accordance with the procedures provided herein:

- a. The City shall provide a City Employment Application to all applicants wishing to fill an open and available position within any City department.
- b. Applicant shall complete and return form in an acceptable manner with all information completed.
- c. The City shall forward application to Airfactz by appropriate means.
- d. Upon return of information gathered, the City shall assemble the Background Check Sub-Committee for application review.
- e. The City shall use the CBC Policy Checklist as a review tool for the pass/fail process, copy attached.
- f. Upon final review the Sub-Committee will notify the City of its recommendation.
- g. The City shall contact the applicant and advise of accept or decline status

Section 3. The provisions of this resolution are severable, and a determination by a court of competent jurisdiction that any provision is unconstitutional or otherwise invalid shall have the effect of severing such provision declared unconstitutional or otherwise invalid; however, any such determination shall not affect the remaining provisions, which shall continue to be in full force and have all legal effect.

Section 4. This resolution shall take effect immediately upon the date of its adoption.

Section 5. Attachments: Criminal Background Check Policy.

PASSED AND APPROVED THIS 17th DAY OF August, 2009.

Thomas A. Shields
Thomas A. Shields, Mayor

CITY COUNCIL MEMBERS	YES	NO	ABSENT	ABSTAIN
Brian Cantrell	<u>X</u>	—	—	—
Linda Reed	<u>X</u>	—	—	—
Russell Schenck	<u>X</u>	—	—	—
James Junget	<u>X</u>	—	—	—

ATTEST:

Jonell Davisson
Jonell Davisson, City Clerk

