



Weber County Human Resources Policy 2-1000 Background Checks

I. Purpose

The purpose of this policy is to establish the process for administering background checks for pre-employment candidates, employees and volunteers to protect the safety, health, and security of County citizens, employees, and property.

II. Policy

In accordance with Utah Code 53-10-108, criminal background checks are conducted for successful applicants for positions and volunteer assignments as designated by the Human Resource Director and Department Head and/or Elected Official.

III. Procedures

A. Designated positions

1. The Human Resources Department, in consultation with the relevant Department Head and/or Elected Official, will identify and maintain a current list of designated positions and volunteer functions that are subject to background checks.
2. The designated positions or volunteer functions subject to a background check by the County and its agencies include positions that deal with the following:
 - a. Significant contact with minors and vulnerable adults
 - b. Financial responsibility, including fiduciary trust over money
 - c. Security-related functions
 - d. Access to private and protected information
 - e. Access to controlled substances
 - f. Provision of drug and alcohol services
 - g. Access to records that are classified as private, protected, or controlled under the Government Records Access and Management Act
 - h. Access to records classified as confidential under another state or federal statute or regulation
 - i. Access to records maintained in restricted state or federal databases
 - j. Access to secure areas of county buildings
 - k. National security interests
3. The Human Resources Department may add a position to the background check list after consulting with the relevant Department Head and/or Elected Official.

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4. Human Resources will coordinate background checks for all positions with the exception of designated positions in the Sheriff's Office and other criminal justice positions, the County Attorney's Office, and the County Library.
 - a. These designated positions will go through the background checks process and be coordinated by the respective department.
 - b. Records of these investigations shall be filed in the department of origin.
 - c. These departments are responsible to ensure clearance prior to the employee or volunteer performing work and that all recordkeeping and retention schedules are adhered to.

B. Background Check Process

1. Criminal background checks for designated positions will be conducted by Human Resources as follows:
 - a. Employment or volunteer candidates who receive contingent offers must consent to a background check by signing a waiver providing the required information. Candidates who refuse to provide consent will not be considered for the position.
 - b. Human Resources will initiate the criminal background check.
 - c. Background checks may include but are not limited to the following, where applicable and as permitted by law:
 - i. Criminal records (local, state, federal)
 - ii. Credit history
 - iii. Verification of application information
 - iv. Driving records
 - v. Social Security Number Validation
 - vi. Sex Offender Registry Search
 - vii. Any other available information
 - d. The timeframe for completing background checks may vary depending on the type of check and availability of information.
 - e. When the background check results in no negative information, the hiring supervisor will be notified by Human Resources and they can proceed with the hiring process. When a background check results in negative information, Human Resources will contact the Department Head and/or Elected Official or designee to make a determination to proceed with the hiring process or to deny the employment/volunteer assignment.
 - f. Criteria to determine if an applicant will be selected when there is negative information on the background check include but are not limited to the following, as applicable:
 - i. The number of concerns revealed by the background check
 - ii. The nature and severity of the concerns
 - iii. The length of time since the concerning events

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- iv. The security sensitivity of the position
 - v. The relation between the job duties of the position and the nature of the concerns
 - vi. The preservation and safety and security of the County, its citizens, and employees
 - vii. Any other factors mandated by federal or state law
- g. If the employment/volunteer assignment is denied, the individual may challenge the completeness and accuracy of criminal history record information by contacting the Human Resource Director within 5 days of the denial notification. Once received, the prospective employee or volunteer will receive a written notice listing the reasons for disqualification and will be provided with the information on how to contest the results of the criminal history.
- h. Employees promoting and/or transferring from a position that did not require a background check into a position that requires background checks will go through the designated background check process for the new position.
- i. Employees or volunteers that separated from the County for more than six (6) months are required to go through the designated background check process if the new position is a designated position subject to a background check.

C. Records Keeping

1. The Human Resources Department will maintain and classify all background check records, with the exception of the designated position in the departments listed in section A.2.4 of this policy, in a separate file and retain said records consistent with countywide policies and procedures and applicable state laws.
2. The information contained in the criminal history or other background check will be available only to those persons involved in making employment, promotion or job assignment decisions or performing the background investigation, and the information will be used only for the purpose of making an employment or volunteer assignment decision and shall be treated as confidential information.
3. County Departments are responsible for the cost incurred with conducting background checks on their prospective employees and volunteers.

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DATED this _____ day of _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY:

James "Jim" Harvey, Chair

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Emily Wilde
Human Resources

Approved as to form and legality:

Courtlan Erickson
Deputy County Attorney