



GENERAL MANUAL POLICY

APPROVED BY:

K. J. Dickson
Executive Director

CATEGORY: Human Resources

TOPIC: Criminal Reference Check

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POLICY

In accordance with the Developmental Services Act 1990, Regulation 272, amended to O. Reg. 434/01, s.13.1(k) and the Day Nurseries Act of Ontario, Community Living Thunder Bay will conduct an enhanced Criminal Reference Check from the Thunder Bay Police or the Ontario Provincial Police before hiring as a member of the staff or taking on as a volunteer, or a student, a person who will have direct contact with individuals supported by the Association.

It is the policy of the Community Living Thunder Bay to inform all candidates for employment, volunteer or student placement positions that an acceptable Criminal Reference Check is a condition of employment.

Failure to obtain a Criminal Reference Check within the specified time period will result in termination of employment.

PURPOSE

Criminal Reference Checking is a precautionary measure designed to ascertain whether employees, volunteers or students on placement, have a criminal history which could potentially make them unsuitable for certain positions of trust, and it also attempts to ensure the safety and well being of the individuals receiving support from the Association.

To ensure Criminal Reference Checks are obtained and documented in a consistent manner.

Initial: KJP.

GENERAL MANUAL PROCEDURE

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PROCEDURE

Prior to commencing employment, all candidates will be informed verbally during the interview process, of the requirement to obtain a current Criminal Reference Check through any Canadian Police Department.

Candidates will also be advised that it will be their responsibility to incur any cost associated with obtaining a Criminal Reference Check.

Once the person has applied for the Criminal Reference Check at the local Police Department, there may be a six to eight week delay in the processing of the Check.

At this stage, candidates may, at the Employer's discretion, commence work prior to obtaining a Criminal Reference Check. Employment is conditional, and based on the results of the Check. Should the results of the Check jeopardize the integrity of the position and/or the values of the Association, the offer of employment is revoked and employment is terminated.

It is the candidate's responsibility to provide the results of the Criminal Reference Check to Human Resources within eight weeks. Human Resources will track the receipt of all Criminal Reference Checks and will follow-up with the candidate within the eight-week time period if one has not been forwarded to the Department.

The Association will accept a searched Criminal Reference Check if it was processed within 1 year of the date of the request.

If a Criminal Reference Check reveals no record of conviction, the offer of employment will proceed in the usual manner.

If a Criminal Reference Check reveals a record of conviction, it may not necessarily disqualify a candidate from being hired. The Human Resources Director will meet with the Executive Director and will determine whether an offer of employment should be made.

If the candidate is selected, the offer of employment will proceed in the usual manner.

If the candidate is not selected, he/she will be advised verbally and in writing that he/she has been unsuccessful in the competition due to an unacceptable Criminal Reference Check.

The original copy of the Criminal Reference Check or a photocopy of the original will be maintained in the employee's personnel file. The photocopied Check must be marked with "Witnessed original, the date, and initialed" by the person receiving the Check.

If an employee is charged with a criminal offense during their employment with the Association, the employee must notify their supervisor immediately. The Association will review and determine whether employment should be maintained.