



## WAYNE COUNTY POLICY STATEMENT

Title:	Background Inquiries		
Wayne County Policy #		Date Issued:	06/25/2012
Category:	Workforce Management	Date Revised:	02/01/2023
Approved By:	Donna Wilson, P/HR Director		Page 1 of 3

### I. PURPOSE

It is the policy of the County of Wayne ("County") to conduct background inquiries on new hires and appointees to determine their suitability for employment with the County. The purpose of performing background inquiries is to assure positions are filled by the most qualified employees, aid in promoting a safe work environment for current and future County employees and to protect the County from potential risks and liability. Reasonable background inquiries are a reliable way to verify credentials and other information provided by applicants during the hiring process. Background inquiries will be used in the hiring process after the initial qualification process has concluded, rather than as an exclusionary mechanism on an employment application. It is the County's intent to create a hiring environment in which the totality of an applicant's qualifications and personal history can be appropriately evaluated.

### II. POLICY PROVISIONS

1. Any background inquiry will be conducted under the direction of the Department of Personnel/Human Resources (P/HR).
2. The type of information that can be collected by P/HR or its agents may include, but is not limited to, an individual's criminal history, driver's license record, past employment, education, finances, reputation, etc. This process is conducted to verify the accuracy of the information provided by the applicant.
3. Criminal background questions or inquiries are not part of the initial employment application. A previous felony and/or misdemeanor conviction does not automatically disqualify applicants from consideration for employment with the County. There are, however, different processes and decisions based on statutory requirements and position relatedness (e.g., positions with the Prosecutor's Office, Sheriff's Department, Courts and Juvenile Detention Facility) that may disqualify an applicant.
4. P/HR may conduct a fingerprint-based background check for certain positions based on statutory requirements (e.g., positions with the Prosecutor's Office, Sheriff's Department, Courts, and Juvenile Detention Facility) for an applicant's possible criminal activity outside of the State of Michigan. The background release form will be provided to the applicant only after the applicant has been found to be qualified for the position by satisfying established minimum qualifications, other appropriate assessments, and after a determination is made that the applicant is likely to be considered for the position.

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5. P/HR will ensure that all applicant background information will be obtained and held in compliance with federal and state regulations.
6. Upon completion of the criminal background inquiry, P/HR will notify the hiring department with a decision of “favorable” if there are no outstanding issues resulting from the background inquiry. If the criminal background inquiry results in an “unfavorable” decision, the Director of P/HR will make a final decision in consultation with the Office of Corporation Counsel.
7. Upon completion of this consultation, P/HR will notify the hiring department with a “favorable” or “unfavorable” decision. The reasons for an “unfavorable” decision will not be stated.
8. The background inquiry determination will be based on statutory requirements and position relatedness. In all cases, applicants who have made false statement(s), omitted any relevant information, or attempted to deceive during the application or hiring process will not receive further consideration. Should the information come to light after employment has started, the employee may be removed from their position.

### **III. ENFORCEMENT**

P/HR is responsible for the development, revision, communication, and enforcement of this policy. P/HR will assist in the interpretation, monitoring, and adherence to this policy.

### **IV. DISCLAIMER**

If in direct conflict with other internal or departmental policy, this policy will be the overriding policy unless otherwise directed by the P/HR Director. If any provision of these policies conflicts with the terms and conditions of existing collective bargaining agreements (CBA), the terms and conditions of the agreements shall take precedence. On those topics where the CBA is silent, the provisions of these policies shall apply.

This policy revision shall replace any previous policies published under the same title and/or number.

### **V. RELATED DOCUMENTS**

1. Collective Bargaining Agreements
2. Civil Service Rules
3. Wayne County Work Rules
4. Wayne County Code of Conduct Policy
5. Wayne County Employee Handbook
6. Fair Credit Reporting Act

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7. Americans with Disabilities Act

8. EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act

## VI. REVISION HISTORY

<b>ACTION</b>	<b>DATE</b>	<b>BY WHOM</b>	<b>REASON</b>
Created	6/25/2012	Tish King, Director	
Revised	11/19/2013	Tish King, Director	Format
Revised	3/1/2022	Genelle Allen, Chief Operating Officer	Policy Change
Revised	1/19/2023	Donna Wilson, Director	Policy Change