

**THE CITY OF LAMAR**  
**BACKGROUND SCREENING STANDARDS**  
**EFFECTIVE 6/1/2019**

Human Resources will be the responsible party to work with the contracted service provider for obtaining the background checks on all potential City of Lamar employees (other than for the Police Department) and for all potential volunteers (other than for the Police Department). Applicants must consent to a background check to be considered for employment or permitted to volunteer. Any applicant who provides false or misleading information on their application or concerning their background check will not be considered. If such false or misleading information is later discovered it shall be grounds for immediate dismissal and/or termination.

These criteria are not all inclusive and each issue will be evaluated on a case by case basis depending on how it relates to the essential functions of the position for which the individual is being considered. In addition the City Administrator and Human Resources, in their sole discretion, reserve the right to disqualify any person for volunteer service on the grounds that to allow the applicant to volunteer his or her services is contrary to the health, safety and welfare of the citizens of the City of Lamar.

When considering past criminal history the City only considers convictions, not simply charges or arrests. A conviction is defined as a guilty verdict, guilty plea, or a plea of nolo contendere for a felony or misdemeanor charge. In the case of pending charges Human Resources will consider the nature of the charge, anticipated deadline for resolution, and impact/effect on the proposed position sought.

The categories of potentially disqualifying offenses listed below may also include related charges for aiding, attempting, assisting, conspiring, or otherwise contributing to the commission of one of the enumerated classes of offenses.

If the results of the background investigation indicate a potential hire is ineligible for employment or a volunteer ineligible to volunteer his/her services, he/she will receive a copy of the background investigation report in writing, upon request, and given five (5) business days to contest the findings as inaccurate or incorrect by providing written information explaining or correcting the findings. The final decision concerning the veracity of the background check and whether to permit the applicant to volunteer or be hired remains with Human Resources and the City Administrator.

## LIST OF DISQUALIFYING CONVICTIONS

### 1. SEX OFFENSES

**All Sex Offenses – *Regardless of the amount of time since offense.***

**Examples:**

*Child molestation, rape, sexual assault, prostitution, Solicitation, indecent exposure, etc.*

### 2. FELONIES

**a. All Felony Violence – *Regardless of the amount of time since offense.***

**Examples:**

*Murder, manslaughter, aggravated assault, kidnapping, etc.*

**b. All Felony offenses other than **violence** or **sex** for crimes of moral turpitude, dishonesty, or drug-related offenses – ***within the past 7 years*****

**Examples:**

*Drug offenses, theft, embezzlement, fraud, child endangerment, etc.*

### 3. MISDEMEANORS

**a. Traffic Violations (for driving positions only) – *within the past 5 years***

**Examples:**

*More than 3 moving violations/tickets (speeding, reckless driving, etc. in the past 3 years) DWAI, DUI, driving without a license or under restraint, driving while license suspended, revoked, Leaving the scene of an accident, any driver's license revocation, denial, suspension or cancellation, etc.*

**b. All misdemeanor violence offenses - *within the past 7 years***

**Examples:**

*Simple assault, battery, domestic violence, hit and run, etc.*

**c. All misdemeanor drug and alcohol offenses - *within the past 5 years or multiple offenses in the past 7 years***

**Examples:**

*Driving under the influence, DWAI, simple drug possession, drunk and disorderly, public intoxication, possession of Drug paraphernalia, etc.*

**d. Any misdemeanor that would be considered a potential danger to children or is directly related to the functions of the position – *Regardless of the amount of time since the offense.***

**Examples:** *Contributing to the delinquency of a minor, providing alcohol to a minor, theft, fraud, etc.*

### 4. Exceptions

The City Administrator and Human Resources Manager will handle all exceptions on a case by case basis.