Memo

TO: Mayor Ballengee and Members of Christiansburg Town Council
FROM: Becky Wilburn, Director of Human Resources & Public Relations
DATE: August 31, 2012
RE: Background Check Ordinance and Related Personnel Handbook Amendment

Attached please find a proposed ordinance that authorizes the Town of Christiansburg to gain consent and perform criminal background checks on certain prospective employees and volunteers. Approval of this ordinance ensures the Town is in compliance with existing Virginia law, which requires that localities have such an ordinance in place in order to conduct these checks as a condition of employment.

Related to this proposed ordinance, an amendment to the Town's personnel handbook regarding criminal background checks is also requested.

The personnel handbook currently states (in-part) on p. 22:

> **Criminal Background Checks Performed**
>
> The Town of Christiansburg performs pre-employment criminal background checks on all conditionally-hired employees and volunteers in accordance with the Code of Virginia. Candidates for employment and/or volunteer openings with the Christiansburg Parks & Recreation Department and Christiansburg Aquatics Department will be screened nationally for criminal convictions (including probation pursuant to Virginia Code § 18.2-251) including but not limited to barrier crimes subsequent to § 63.2-1719 pertinent to responsibilities of providing care, protection and guidance for children, the handicapped, or the elderly. Candidates for employment for all other departments shall be screened by the Christiansburg Police Department.

The proposed amendment to the personnel handbook would read as follows:

> **Criminal Background Checks Performed**
>
> The Town of Christiansburg performs pre-employment criminal background checks on all applicants for employment and/or volunteer positions, either upon identification as a finalist in the personnel selection and placement process or upon offer of employment with the town, as determined by the town manager or his/her designee, and in accordance with the Code of Virginia and Christiansburg Town Code.

> Candidates for employment and/or volunteer openings with the Christiansburg Parks & Recreation Department, Christiansburg Aquatics Department, Christiansburg Police Department, Christiansburg Rescue Squad, or for any additional applicable positions identified by the town manager which affect public welfare and safety, shall specifically be screened nationally for criminal convictions (including probation pursuant to Virginia Code § 18.2-251) including but not limited to barrier crimes pursuant to § 63.2-1719 pertinent to responsibilities of providing care, protection and guidance for children, the handicapped, or the elderly.
>
> Additionally, Town employees are required to promptly notify the human resource department upon notice that the employee is the subject of a criminal investigation by law enforcement or a child protective services investigation by any department of social services.

At this time, there are no proposed changes to the remaining information listed under "Criminal Background Checks Performed" that explains how the applicability of criminal convictions is determined.

Thank you in advance for your time and consideration.