

Rule IV, Examinations, Section 15, Examination and Certification of Convicted Felons, is amended to read as follows:

15. Examination and Certification of Applicants with Criminal Convictions; Fair Hiring Policy

15.A. The Canton Civil Service Commission may refuse to examine an applicant, or after an examination may refuse to certify as eligible a person who has been convicted of a criminal offense which precludes the applicant from holding a specific position under federal or state law. The Job Announcement shall provide written notice of which positions are prohibited from being held by felons, or other specific offenders, e.g. domestic violence for peace officers, and any felony for police and fire applicants.

15.B. The Civil Service Commission shall otherwise examine an applicant or may certify as eligible a person convicted of a felony or misdemeanor, provided the conviction has been sealed or expunged, annulled or fully pardoned pursuant to current Ohio law.

15.C. The Civil Service Commission will examine an applicant, and may certify as eligible a person convicted of a felony or misdemeanor that does not preclude employment under federal or state law, provided the conviction does not bear a direct and substantial relationship to the position and responsibilities that are job related and consistent with business necessity for which the person is being considered.

The Human Resources Director, in consultation with the city appointing authority shall consider and evaluate the following factors:

- 1) the nature and severity of the offense;
- 2) the age of the person at the time of the offense;
- 3) the amount of time that has elapsed since the offense took place;
- 4) how long the applicant has lived without incarceration or correctional supervision; and
- 5) any documentation or sworn testimony demonstrating the applicant's rehabilitation, including Certificate of Qualification for Employment (CQE) awarded by an Ohio Court of Common Pleas.

15.D. The Civil Service Commission will defer any questions about prior convictions, unless otherwise provided above, until after an otherwise qualified applicant has been certified as eligible and the applicant is interviewed for the position. A copy of the results of the criminal background check shall be provided to the applicant, less any redactions made pursuant to law. Failure to disclose relevant background

information related to criminal offenses or falsification shall constitute grounds for disqualification. If the applicant is denied employment based on said records, he or she may file a written appeal only in regard to disputing the accuracy or correcting errors discovered in the information within ten (10) business days. The Commission shall address the appeal at the next regularly scheduled meeting.

2000/Miscellaneous/Civil Service