

1. POLICY SUMMARY

Augusta Georgia is committed to a hiring policy that affords individuals with a criminal background the opportunity to be considered for employment without compromising the values or safety concerns of Augusta, Georgia and its citizens. Unless the requirements for a position preclude hiring an applicant due to a criminal conviction, Augusta will not inquire about an applicant's criminal convictions until after the applicant is considered to be a finalist for the position or a conditional offer of employment is extended. An audit of the application of this Policy will be conducted periodically, but no less than annually, in order to determine whether this Policy is being applied in a manner that does not adversely impact any demographic group.

2. POLICY STATEMENT:

It is the policy of Augusta, Georgia to inquire about and conduct a background investigation, criminal and otherwise, ~~of any individual who is a finalist for selection~~, either for a new or for a different position or volunteer assignment. Generally, this inquiry will not be made until the applicant is considered to be a finalist for the position. Arrest records will not be considered in employment decisions.

Augusta Georgia will not inquire into an applicant's criminal background during the initial or preliminary application process and the employment application will not make any inquiry about the applicant's criminal background, unless the requirements for a position preclude hiring an applicant due to a criminal conviction.

For positions whose requirements do not preclude hiring an applicant with a criminal conviction, when an applicant is considered by the hiring manager to be a finalist for a position, Augusta, Georgia's Human Resources Department will ask the applicant about his/her criminal background. The existence of a criminal background will not automatically disqualify an applicant from continuing consideration. Rather, if a criminal background exists, Augusta, Georgia's Human Resources Department ~~will initially make a determination as to whether the position for which the individual applied requires an occupational licensing or certification requirement that is denied to individuals with criminal convictions by federal or state laws or regulation. In such a situation a conviction will disqualify an individual ("targeted exclusion") and the application will be rejected. Alternatively, if a targeted exclusion is not applicable, the Human Resources Department will make an individualized assessment of the relevance of the criminal record to the duties and responsibilities of the position, and will afford the applicant an opportunity to explain the circumstances that led to the conviction and present any mitigating factors. Based upon the results of the individualized assessment the Human Resources Department will make a determination as to whether to reject the applicant, or to continue with the hiring application process. If following the individualized assessment Human Resources determines that the candidate should be rejected, that determination will be reviewed by the EEO/Compliance department ("EEO"). If EEO agrees with Human Resources' determination the candidate will be rejected and the hiring manager will be notified that the candidate can no longer be considered. If EEO disagrees with Human Resources' determination, then the two departments will attempt to resolve their disagreement. If they cannot resolve the disagreement it will be referred to the Administrator for a final determination.~~ and to disclose and discuss the existence of the criminal conviction and the results of the individualized assessment with the hiring manager.

For positions whose requirements preclude hiring an applicant with a criminal conviction, e.g., public safety or safety sensitive positions listed in the Procedures, Augusta Georgia will inquire into an applicant's criminal background during the initial application process. The inquiry will be part of the demographic portion of the application and the response will be reviewed solely by Human Resources. For these positions a criminal conviction will disqualify an individual ("targeted exclusion") and the application will be rejected.

Any individual who during the application process misrepresents their criminal background will be subject to rejection of their application or discharge from employment.

Individuals who apply to serve as volunteers for Augusta, Georgia programs may, depending upon the nature and responsibilities of the volunteer duties sought, be asked about their criminal convictions and subjected to a background investigation as part of the application approval process.

All Augusta, Georgia employees or volunteers are required to report to their immediate supervisor any arrest(s), indictment(s) and/or criminal conviction(s) by the next business day. Convictions will be subjected to the same analysis as in the application process and may result in corrective action or discharge. The underlying facts relating to an arrest may result in corrective action or discharge. Under no circumstances may an employee be in paid status while incarcerated, including Sheriff and Fire Department personnel.

Under the direction of the General Counsel an audit of the application of this Policy will be conducted periodically, but no less than annually, in order to determine whether this Policy is being applied in a manner that does not adversely impact any demographic group.

3. COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4. PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator.

5. APPLICABILITY

This Policy is applicable to....

6. DEFINITIONS

Individualized Assessment - The nature and gravity of the offense; when the offense occurred and the individual's subsequent record and experience; and the nexus that the conviction has to the duties and responsibilities of the position.

Targeted Exclusions - Positions which require an occupational license or certification requirement that is denied to individuals with criminal convictions by federal or state laws or regulations.

7. REVISION HISTORY

This policy was implemented...