

MARKLUND
HUMAN RESOURCE POLICY AND PROCEDURE

POLICY NO. 3.3.6

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SUBJECT: BACKGROUND CHECKS

DEPARTMENTS AFFECTED: ALL

APPROVED BY: JR

ISSUE DATE: 7/02/96 REVISION DATE: 8/15/96, 6/25/98, 2/1/10 EFF DATE: 7-01-96

PURPOSE: To ensure the safety and well being of all employees, residents, visitors, and volunteers by investigating the criminal background of all conditional employees through the Illinois State Police.

DEFINITIONS:

Healthcare Workers Background Check Act (225ILSC46): Prohibits certain health care employers from hiring an applicant with a record of conviction of any of the criminal offenses listed in the Act. The Act requires fingerprint check be conducted pursuant to the Uniform Conviction Information Act when a "conditional offer of employment" is made.

Illinois State Board of Education: Certified and non-certified applicants for employment of an agency which receives money to educate students are required as a condition of employment to authorize an investigation to determine if such applicants have been convicted of any of the enumerated criminal or drug offenses outlined by the Adam Walsh Act.

Copies of specific convictions that may prohibit the employment of any individual are attached.

PROCEDURE:

All applicants that have been offered conditional employment must agree to have a fingerprint based criminal history record check, conducted in accordance with one of the defining Acts depending on which facility the candidate will work.

The fingerprint process must be initiated by the Human Resource Department Portal Registration Authority (PRA). Fingerprint based criminal history record checks are conducted through the Illinois State Police as a fee applicant inquiry in the form and manner prescribed by the Department of State Police, within 48 hours of offer of employment.

An employee will receive a copy of their results. A copy is also retained in a separate file, not included in the personnel file. Results are sent through encrypted e-mail to the PRA.

Results indicating convictions will be attached to the application in a sealed envelope retained in a separate file. Granted waivers are indicated on the registry. Applicants/employees with

convictions, without waivers on the registry, must contact IDPH to complete the waiver process.

The employee may continue to work in a non-direct care position pending results of the fingerprint check. Human Resources will attempt to temporarily place any employee that falls into this category in a non-direct care position that is already available at the time and the employee is qualified to perform the job. Jobs will not be created. If there is no position available, the employee will be put on unpaid leave, unless they choose to use their PTO time until the results come in. Upon waiver results, the employee will be reinstated or terminated.

The facility is not obligated to employ or offer permanent employment to someone who is granted a waiver; however, Marklund will review each waiver on a case by case basis.

The facility must enter new employment information on all CNAs. When an employee is terminated, the facility must enter termination information. Even though it is not required by IDPH, Marklund will conduct fingerprint based criminal history record checks on all employee classifications.