

Village of Warwick
Background Check Policy

Adopted March 18, 2019 / Effective March 18, 2019

Purpose:

For the safety and well-being of each and every resident, business owner and employee of the Village of Warwick, the Mayor and Village Board of Trustees introduces the following policy regarding background checks. Background checks are mandatory and applicable to any adult staff member/applicant ages 18 and above, seeking employment with the Village of Warwick, including but not limited to volunteers, elected officials, volunteer board members and public officers. This policy is applicable to all prospective and probationary employees.

Procedures:

All prospective staff will be required to read and sign a written authorization form allowing the Village of Warwick to obtain and utilize background checks. The signed form must include the applicant/staff's name, social security number, address, previous addresses, and date of birth, along with a photocopy of their current driver's license or ID. Applicants who decline or fail to sign the waiver will not be eligible for work with the Village of Warwick. All waivers must be signed, and background check completed before any work may be done by the applicant.

Implementation:

The Village Clerk, with assistance from a third-party reporting agency, will administer all background check procedures. The Village Clerk shall receive and review the results of the background check reports from the agency with the Mayor. The Mayor shall determine if any individual does not meet the background check policy standards.

Potential Disqualification Criteria:

Pursuant to Article 23-A of the New York Correction Law prohibiting employers from denying an applicant employment because the applicant was previously convicted of one or more criminal offenses, the following two exceptions under Article 23-A may constitute a denial of employment:

First, employment may be denied if there is a direct relationship between the criminal offense committed and the employment sought. A "direct relationship" exists if the nature of the criminal conduct directly bears on the fitness or ability of the applicant to perform the duties or responsibilities of the job.

Second, employment may be denied if the applicant would pose an unreasonable risk to property or safety or welfare of others. This includes a risk to specific individuals or the general public.

Existing Staff:

If at any time during Village employment, any charges are uncovered or brought against the employee, he/she will be required to disclose to the Mayor and Village Board of Trustees the nature of the offense and the disposition of the charge. Failure to make disclosure to the Mayor and Village Board of Trustees may result in the termination of the employee or other disciplinary action.

Potential Disqualifying Circumstances:

The Village Clerk shall notify the affected Applicant in a confidential manner that a potential disqualifying factor was reported on the criminal background check and present the background report to the applicant.

In the event the applicant feels a mistake has been reported in their criminal check, it is the applicant's responsibility to contact the reporting agency and resolve any issues.

Appealing a Disqualifying Report:

An applicant denied by the above policy may request an appeal of this decision. The Village Board will convene, in Executive Session, to review the appeal. The decision of the Board is final.

Confidentiality:

All information in response to the criminal background check shall be kept confidential and not disclosed or discussed outside of the reviewing personnel. The Village of Warwick is not responsible for errors or omissions that may be reported on background checks.

Village of Warwick
77 Main Street
PO Box 369
Warwick, NY 10990

PERMISSION FOR BACKGROUND RECORDS CHECK

I, the undersigned, hereby authorize and give consent for the Village of Warwick to obtain information regarding myself for employment or volunteer purposes. This information may be obtained either in writing or by way of telephone in connection with my application. Any person, firm or organization providing information in accordance with this authorization is released from any and all claims of liability for compliance. This information may include all or some of the following:

- Employment records/Employer's references
- Criminal background check information
- Sex offender registry check
- Driver's license check
- Training/experience/educational background check
- Personal references check
- Consumer Credit Check (if applicable for positions handling cash)
- Addresses

Applicant's Full Name (Print): _____

Maiden Name: _____ SSN _____

Sex: Male _____ Female _____ Date of Birth: _____

Address _____

City _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

How long at current address: _____ If less than 2 years at current address please provide pervious address:

Driver's License Number: _____ State: _____

Signature of Applicant: _____ Date: _____

Copy of Driver's License Attached: Y / N