



COUNCIL PROCEEDINGS

CITY OF WELLS, MINNESOTA

Council Member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2010-07

A RESOLUTION RELATING TO CRIMINAL BACKGROUND FOR APPLICANTS FOR CITY EMPLOYMENT WITH THE CITY OF WELLS, MINNESOTA

WHEREAS, the purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of employment background checks for the positions within the City of Wells, Minnesota.

WHEREAS, the Wells Police Department is hereby required, as the exclusive entity within the City, to do a criminal history background investigation on the applicants for, unless the city's hiring authority concludes that a background investigation is not needed, all regular part-time or full-time employees of the City of Wells and other positions that work with children or vulnerable adults, and not including employees covered by Minn. Stat. 626.87, Subd. 1.

WHEREAS, in conducting the criminal history background investigation in order to screen employment applicants, the Wells Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Wells Police Department under the care and custody of the chief law enforcement official or his/her designee. A brief summary of the results of the Computerized Criminal History data may be released by the Police Department to the committee involved in the hiring process.

WHEREAS, the applicant must authorize the Wells Police Department by written consent to undertake the investigation before the investigation is undertaken. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information. Except for the positions set forth in Minnesota Statutes Section 364.09, the city will not reject an applicant for employment on the basis of the applicant's prior conviction unless the crime is directly related to the position of employment sought and the conviction is for a felony and/or gross misdemeanor with a jail sentence. If the city rejects applicant's requests on this basis, the city shall notify the applicant in writing of the following: (A) the grounds and reasons for the denial; (B) the applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06; (C) the earliest date the

applicant may reapply for employment; (D) that all competent evidence of rehabilitation will be considered upon reapplication.

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted by the City Council for the City of Wells on _____, 2010.

By: _____
Shannon Savick, Mayor

Attest:

SEAL

Jeremy R. Germann, City Administrator