

*If for some reason some of the lines seem to be blurry please increase the size by clicking on the zoom out tool to make the print clearer*

## Chapter 2.44

### PERSONNEL

#### Sections:

2.44.010 Limitation on number of employees.

2.44.020 Limitation on number of part-time employees.

2.44.030 Employee and Volunteer Criminal History Background Check Policy

2.44.040 Conformance with State Law and Administrative Rules

2.44.010 Limitation on number of employees. On or after the effective date of the ordinance codified in this chapter the number of persons employed by the county government shall not exceed .85 percent of the county's total population.

A. The population figure shall be that required by ORS 190.510 to 190.610 and based upon the prior year.

B. This section applies to all full-time equivalent budgeted positions.

C. New mandated services required by the legislative assembly of the state shall be exempted from this section.

D. In the event of reduction of county population, personnel reductions shall apply first to nonessential social service programs; essential emergency services dealing with public protection shall be the last to be reduced. (Ord. 83-11-3 §2, 1983; Ord. 80-1-1 §1, 1980)

2.44.020 Limitation on number of part-time employees. On or after the effective date of the ordinance codified in this chapter the number of persons employed by the county in a capacity deemed part-time as determined by the county's personnel rules shall not exceed .27 percent of the county's total population as set forth in Section 2.44.010. (Ord. 83-11-3 §3, 1983; Ord. 80-1-1 §2, 1980)

2.44.030 Employee and Volunteer Criminal History Background Check Policy. On or after the effective date of the ordinance codified in these section, the Douglas County Sheriff's Office shall be authorized to access Oregon State Police (OSP) criminal offender information through the Law Enforcement Data System (LEDS) in order to check criminal history backgrounds of applicants seeking employment and/or volunteer work with Douglas County, in accordance with OAR 257-10-025(1)(a). (Ord. 02-3-1, §1, 2002)

2.44.040 Conformance with State Law and Administrative Rules. All proceedings pursuant to this Ordinance shall be conducted in accordance with ORS 181.555 and OAR 257-10-025, which establishes procedures for access to criminal record information possessed by the Oregon State Police (OSP) through the Law Enforcement Data System

(LEDS), and as supplemented below:

A. Applicants for employment and appointed volunteers with Douglas County who will be working in sensitive areas will be required to authorize the County to conduct a criminal offender information check through the OSP LEDS system. Sensitive areas of the County include but are not limited to the District Attorney's Office, the Office of County Counsel, the Sheriff's Office, the Juvenile Department, the Community Corrections/Parole and Probation Department, the Human Resources Department, the Health Department, all cash handling positions and any other position which involves confidential communications. Each position for which a criminal offender information check will be required shall be so designated at the time of the opening of the recruitment for that position.

B. The Human Resources Department will maintain the criminal history forms and request that a criminal history check be made if it is determined this will be in the best interest of the County in filling the position.

C. The Douglas County Sheriff's Office will conduct the checks on the prospective employee or volunteer and report to the Human Resources Department that the applicant's record indicates "no criminal record" or "criminal record".

D. If the applicant's record is reported as "criminal record", the requesting department will, in accordance with OAR 257-10-025(1)(c), request a written criminal history report from the OSP Identification Services Section and pay the applicable fee for this service. When the written criminal history record is received, the requesting department will review the record with the Human Resources Department before making a hiring decision. For "cash handling positions" the cash handling policy and standards will be used as hiring criteria.

E. The written criminal history record on persons who are not hired or appointed as a volunteer will be retained with the application in Human Resources in accordance with the requirements of OAR 166-40-080 for a period of three (3) years and thereafter will be destroyed by shredding.

F. The criminal history record of applicants and volunteers with a criminal history who are hired or appointed will become a part of the confidential personnel file maintained by Human Resources Department of that employee or volunteer. Access to confidential personnel files is limited to authorized persons who have an official need to access such files as sanctioned by law or regulation.

G. Applicants for employment or appointment as a volunteer who have a felony criminal history or a history of conviction of a misdemeanor involving moral turpitude or theft will be closely examined by the selecting official(s) to determine if the applicant possesses the required degree of public trust and confidence. Each selection will, however, be made on an individual, case by case basis, taking into account the applicant's qualifications, the requirements of the particular job or volunteer post applied for, and the results of the criminal history check. Factors such as the maturity of the offender at the time of the offense, the type of offense and subsequent rehabilitation, and the public sensitivity of the position under consideration shall be taken into account in evaluating a criminal history report. (Ord. 02-3-1, §1, 2002)