



Administrative Policy No. 7.2.4

Effective: October 21, 2006

By: _____
Town Manager

SUBJECT: Background, Pre-employment Physicals and Drug Screening

1. PURPOSE

The purpose of this policy is to outline the background and pre-employment physicals and drug screening requirements for all new Town employees, volunteers, independent contractors and their employees providing service in the Community Service Department and nonprofit groups under contract with the Town of Yucca Valley.

2. AUTHORITY

Section 2.08.050 of the Town of Yucca Valley Municipal Code establishes the powers and duties of the Town Manager.

3. APPLICABILITY

This policy is applicable to all new Town employees, volunteers, independent contractors and their employees providing service in the Community Service Department and nonprofit groups under contract with the Town of Yucca Valley.

4. POLICY

This policy outlines the background livescan fingerprinting and physical screening requirements for all new Town employees, volunteers, independent contractors and their employees providing service in the Community Service Department, nonprofit groups under contract with the Town of Yucca Valley who may or may not have supervisory, disciplinary authority or direct contract with minors

4.1 Fingerprinting (Livescan)

4.1.1 New Town of Yucca Valley employees, volunteers, independent contractors and their employees providing service in the Community Service Department and nonprofit groups under contract with the Town of Yucca Valley having supervisory, disciplinary authority or direct contract with minors will be fingerprinted by livescan and processed through the Department of

Justice (DOJ) and the Federal Bureau of Investigation (FBI) for criminal background screening.

- 4.1.2. New Town employees working in the Finance Department or as a Department Head will be fingerprinted by livescan and processed through the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) for criminal background screening.
 - 4.1.3. All other new Town employees, volunteers, independent contractors and their employees providing service in the Community Service Department and nonprofit groups under contract with the Town of Yucca Valley not having supervisory, disciplinary authority or direct contract with minors will be fingerprinted by livescan and processed through the DOJ only for criminal background screening.
 - 4.1.4. The background screening must be completed prior to working in any department as a Town employee, volunteer, independent contractor or nonprofit group.
 - 4.1.5. The Town of Yucca Valley subscribes to subsequent arrest notification from the reporting agencies and reserves the right to remove any employee, volunteer, independent contractor or nonprofit groups employee whose subsequent arrest notification indicates a potential threat to any minor within their direct supervision, disciplinary authority, or direct contract.
 - 4.1.6. If there is a break in service of twelve (12) months or more, the employee, volunteer, independent contractor and their employees providing service in the Community Service Department or nonprofit group will be required to complete livescan fingerprint background screening as if they are new to Town service.
 - 4.1.7. Volunteers serving under direct supervision of a Community Service employee (For example, Museum Association members or guest speakers) will not be required to submit for livescan fingerprinting.
 - 4.1.8. The background screening fees including the roll fee, DOJ and FBI costs will be borne by the Town. All applicants will be reimbursed for their roll fee after the livescan has been processed and they bring their receipt to Town Hall for reimbursement.
- 4.2 Pre-employment Physical Examinations
- 4.2.1 All new employees will be required to take a pre-employment physical examination after Human Resources has reviewed the background livescan fingerprinting results.
 - 4.2.2 The fees for the physical examination will be borne by Town of Yucca Valley.

4.3 Drug Testing

- 4.3.1 All new employees will be required to take a pre-employment drug screening test.
- 4.3.2 All employees with Class A or Class B driver's licenses required for their job classification will be part of the pool selected for random drug screening as required by the Federal Department of Transportation.

5. **DEFINITIONS**

Employee: An individual who is legally employed by the Town and is compensated through the Town payroll for his/her services. This excludes independent contractors and outside contractors and volunteers.

Independent Contractor: Any person who renders service for a specified recompense for a specified result, under the control of his principal as to the result of his work only and not as to the means by which such result is accomplished.

Livescan: The electronic process of acquiring and transmitting fingerprints to the reporting agency.

Volunteer: A non-employee volunteer is a person not otherwise an employee of the agency who donates hours of service to the agency for civic, charitable or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered, except for reimbursement for expenses, reasonable benefits, and nominal fees, or a combination thereof.

Staff: Town employees or volunteers that are subject to the powers of the Town Manager.

Town: The Town of Yucca Valley

6. **PROCEDURE**

The administration of these policies shall be provided by the Human Resources Manager.

- 6.1 The Human Resources Manager will provide all staff, new hires, volunteers, independent contractors and their employees providing service in the Community Service Department and non-profit organization staff with the appropriate paperwork to complete the required livescan fingerprinting background screening.
- 6.2 The Human Resources Manager will review all results of the livescan fingerprinting and notify new hire and responsible Department Head of successful results.

- 6.4 Human Resources will notify the appropriate supervisor or Department of the successful results of all volunteers, independent contractors and their employees providing service in the Community Service Department and non-profit organization staff.
- 6.3 If questionable results are received, the Human Resources Manager will discuss the results with the responsible Department Head and determine the appropriate action regarding continuation of the hiring process or withdrawal of the offer.
- 6.4. All DOJ results are filed in the employee, volunteer or independent contractor's medical or personnel file which is kept under lock and key.
- 6.5 All questionable results are placed in a sealed envelope with the notation "CONFIDENTIAL – Only to be opened by the Human Resources Manager" and the date of the sealing. The envelope is placed in the person's personnel or medical file.
- 6.6 After successful completion of the livescan fingerprints the new hire will be notified that they can take their pre-employment physical examination and drug screening test.
- 6.7 Results are submitted to the Human Resources Manager, who reviews the physical results and then files the results in the appropriate employee file.
- 6.8 Questionable drug screening results are discussed with the new hire to determine whether their presence will impact their ability to perform their job duties.
- 6.9 Random drug screening notification is submitted by Addiction Medicine Consultants, Inc. to the Human Resources Manager. The Human Resources Manager calls the responsible supervisor and tells him who has been selected and sends the appropriate paperwork to the responsible supervisor. The responsible supervisor notifies the employee at 7:00a.m. or 8:00a.m. depending on the employee's start time of any day during the identified time period that he needs to report to the medical facility performing the drug test.
- 6.10 Results from the random drug screening are forwarded to the Department of Transportation as required by the agency. All information related to the drug screening is kept in the employee's medical file and in a separate Addition Medicine, Inc. file.

7. APPROVAL, REVISION, AND CANCELLATION

All revision requests to this policy will be forwarded to the Town Manager via your supervisor.