



**PERSONNEL DEPARTMENT  
OPERATIONAL POLICY**

**CONVICTION RECORDS POLICY FOR CLASSIFIED POSITIONS**

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**PURPOSE:**

To ensure the City of Akron workplace is a safe and secure environment for all employees, visitors, and the public.

**POLICY:**

Preliminary conviction record checks will be conducted prior to certification for interview. Once a candidate is selected, fingerprinting shall be required as a condition of employment with the City of Akron. Employment with the City of Akron is contingent upon a conviction records check where exclusion from employment may be made consistent with job-relatedness and applicable laws. Failure to disclose relevant background information related to criminal offenses or falsification may constitute grounds for disqualification or termination, regardless of when discovered.

A candidate who has been convicted of a felony involving violent, sexual or drug related offenses is ineligible for employment for a minimum of five years after he/she completes the imposed sentence (incarceration, probation, community control, restitution, etc.).

A candidate who has been convicted of any other felony is ineligible for employment for a minimum of three years after he/she completes the imposed sentence (incarceration, probation, community control, restitution, etc.).

A candidate on probation due to a misdemeanor conviction is ineligible for employment until he/she is no longer on probation.

The criminal conviction review committee will review the results of the conviction records check in relation to the position sought. A conviction of a felony or misdemeanor may disqualify a candidate from employment, upon an individualized assessment in accordance with this policy.

A candidate's individualized assessment will be evaluated based upon the following criteria:

1. Willful and complete disclosure of conviction record
2. Job-relatedness of conviction(s)
3. Nature and seriousness of the conviction record
4. How long ago the conviction(s) occurred
5. Applicant's age at time of the offense
6. Age of the victim
7. Whether applicant is a repeat offender
8. Employment history since conviction(s)
9. Any other factors that may be relevant

The Personnel Director, or his/her appointees, may consult with any other appropriate City officials in conducting the individualized assessment.

Following the individualized assessment, if the candidate's conviction record is disqualifying, the candidate will not be certified for an interview or, if applicable, the conditional offer of employment with the City of Akron will be rescinded. The Personnel Director will notify the candidate in writing of the decision.

A candidate who is denied further consideration under this policy may appeal in writing to the Personnel Director within five (5) days of the notice of ineligibility for a review of the decision. Upon receipt of the candidate's written appeal, the criminal conviction review committee will determine whether or not the appeal should be granted. Relevant factors include, but are not limited to:

1. Individual may show he/she was not correctly identified in the criminal record or the record is inaccurate
2. The facts or circumstances surrounding the offense or conduct
3. The number of offenses for which the individual was convicted
4. Evidence the individual performed the same type of work, post conviction, with the same or different employer, with no known incidents of misconduct
5. Length and consistency of employment history before or after the offense/conduct
6. Rehabilitation or recovery efforts
7. Employment or character references and any other information regarding fitness for the particular position

After a determination is made regarding the appeal, the Personnel Director will advise the candidate of the final decision in writing. This decision is final and no further appeals may be made by the candidate.

Note: This policy does not apply to safety sensitive positions in the City of Akron and positions in Akron Public Schools.