
State of Oregon
LEGISLATIVE BRANCH PERSONNEL RULES

Recommend repealing this rule and incorporate section (1) to LBPR 6 Recruitment and Selection.

Legislative Branch Personnel Rule 20: Pre-hire and Promotional Screenings

APPLICABILITY: This rule applies to all legislative agencies and parliamentary offices where not in conflict with an applicable bargaining agreement or law.

(1) Criminal records screening.

(a) The Legislative Branch shall determine whether a criminal records check is required prior to making a final job offer. A determination made under this subsection must be based on the type of position for which the offer is being made, business necessity and applicable state laws. If the Legislative Branch determines that a criminal records check is required under this subsection, applicants authorize a criminal records check by signing an Authorization to Release Information form after an initial interview. If no interview is conducted, applicants authorize a criminal records check by signing an Authorization to Release Information form prior to a conditional offer of employment.

(b) Criminal records checks may be conducted only on finalists for a position and must be completed prior to making a final job offer. A criminal records check may be required for continuing status positions and temporary or limited duration status positions, depending upon the nature of the job duties.

(c) Arrest records, in the absence of a subsequent conviction, may not be a bar to employment with the Legislative Branch.

(d) Information regarding a conviction or an arrest record that is discovered during a criminal history check shall be kept confidential and stored in the recruitment file for a position, and only the appointing authority and Employee Services staff may access that file.

(e) All costs related to a required criminal records check shall be paid by the legislative agency for whose benefit the costs were incurred.

Repeal subsection (2) Medical examinations. Individuals entering the employ of the Legislative Branch are not subject to medical examinations; therefore section (2) in this rule is inconsistent with ORS 659A.133.

Approved: