

**MILLE LACS BAND OF OJIBWE
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

Department: Administration Services-Human
Resource Management

Policy Number: HHS-ADM-HRM 3150

Policy Title: Employee Background Checks

Attachments:

Revision History: 6/2016, 12/2017

Revised by/Date: Holly Hunter, Jan Manary, Carmen Kalk 8/2021

Approved by:


Jan Manary, Executive Director of Health Services

Date: 9.22.2021

Approved by:


Nicole Anderson, Commissioner of HHS

Date:

9-27-2021

POLICY STATEMENT: It is the policy of Mille Lacs Band Health and Human Services (HHS) to cooperate with Mille Lacs Band of Ojibwe (MLBO) Human Resources (HR) in conducting background checks on all HHS employees and employee candidates, including full time, part time and temporary employees. The results of a background check determine a candidate's suitability for employment with HHS. All background checks comply with applicable federal, state and Tribal law, including the Fair Credit Reporting Act.

PURPOSE: Promote a safe work environment and to assist in making prudent employment decisions based upon comprehensive job-related information.

PROCEDURE:

Completing a NetStudy 2.0 Background Study

Background studies will be facilitated through MLBO Human Resources but adjudicated by DHS NetStudy 2.0.

- The employee or employee candidate is provided with a fingerprint authorization form by MLBO Human Resources
- The fingerprint authorization form must be presented to an authorized fingerprinting and photo location within the allotment of time noted on the form.
- The employee or employee candidate is responsible for the cost of the background study.
 - Employee candidates are eligible for and may request reimbursement of the background study fee after successfully completing their 90-day probationary period.
 - Existing employees completing a background study renewal are eligible for and may request reimbursement for the background study through regular departmental processes for reimbursement requests.
- Employees or employee candidates whose results indicate they are disqualified from direct contact under the most current version of Minn. Stat. 245C.14 & 245C.15 will not be able to be employed by HHS.
- Any employee or employee candidate will have the opportunity to reapply for positions they previously were not approved for, as background check results may change over time.

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Duty to Report Convictions/Pleas

Employees have an ongoing responsibility during their employment to make HHS aware of any potential changes to their background. Any convictions or pleas should be reported to the department Director or MLBO Human Resources within 24 hours. Failure to report within 24 hours will result in disciplinary action, which may include summary dismissal.

Any new charges that HHS may become aware of, and all new convictions and pleas will be reviewed on a case-by-case basis by the hiring supervisor, the HHS Commissioner and MLBO Human Resources, as appropriate, to determine if the employee remains suitable for the position hired for, or if any restrictions on duties may be required.

Background Study Renewals

HHS reserves the right to conduct a renewed background study on an employee if they have any reason to believe results have changed since the last background study.

Existing Employees Who Have Never Conducted a Background Study Prior to this Policy Change

If an existing employee's background study results disqualify them from working in the role hired into, this will be reviewed on a case-by-case basis by the hiring supervisor, the HHS Commissioner and MLBO Human Resources, as appropriate, to determine if the employee remains suitable for the position hired for. In some instances, it may be appropriate to retain employment and implement restrictions on duties or modify roles.

Grievances

Instructions on how to report and correct an error on a NetStudy 2.0 background study are sent to the employee or employee candidate with the result notification.

Internal and/or External References	
Compliance - Posting Date	9/27/2024 (PA)
Replaces – Policy Number	
Next Review - Due Date	