



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Public Works



Date: April 27, 2015
Board Meeting Date: May 19, 2015
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: James C. Porter, Director of Public Works

Subject: Authorization to access State and Federal summary criminal history information

RECOMMENDATION:

Adopt a resolution authorizing the Department of Public Works to access state and federal level summary criminal history information for employment, including contract employees.

BACKGROUND:

On January 13, 2015, your Board adopted Resolution 073592, which authorizes the Department of Public Works to access state and federal-level summary criminal history information for employment (including contract employees). On April 7, 2015, the Department of Justice notified us that they would not accept the resolution because it was not in their preferred format.

The Department of Public Works (Department) desires to maintain service levels and avoid the creation of large backlogs of work, when employees are out for extended periods of time, by utilizing contract employees. These temporary staffing resources require appropriate clearances to access the many sensitive areas they will be working in. Broad access based on appropriate background screening will ensure the maximum utilization of these assets. The County's Human Resources Department does not provide background screening services for non-employees.

DISCUSSION:

The Department is requesting your Board adopt the revised resolution to comply with the Department of Justice's resolution template format.

This action will allow the Department to apply to the California Department of Justice for authorization to access state and federal level summary criminal history information.

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This will provide the Department with the ability to order Live Scan (Department of Justice and Federal Bureau of Investigation) background investigations for contract employees. Live Scan results are normally returned within 24 hours, but not normally longer than 72 hours. This will enable the Department to respond quickly to temporary and long term losses of staff, by expediting the background check process for contractors that will be working in sensitive areas including: Human Resources, the District Attorney's Office, Probation, Child Support Services, our Public Safety offices and our jail.

Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

County Counsel has reviewed and approved the resolution as to form.

Approval of this action contributes to the Shared Vision 2025 outcome of a Collaborative Community by providing an expedited manner to which security clearance can be obtained for temporary staff, which then in turn allows the Department to maintain service levels for each department.

FISCAL IMPACT:

There is no impact to the General Fund. In almost all cases, the contractor will pay for the records search. Otherwise the costs will be charged to the respective project or organization operating budget.