

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACCESS STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT, INCLUDING CONTRACT EMPLOYEES

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment, licensing , or certification; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, 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; and

WHEREAS, the Department of Public Works desires to utilize contract employees to maintain service levels when permanent employees are out on extended absences; and

WHEREAS, contract staff are allowed broad access to certain County areas, including but not limited to Human Resources, the District Attorney's Office, Probation, Child Support Services, our Public Safety offices and the County jail, only when they are eligible under certain requirements set forth in statute, regulation or ordinance, and criminal history information is required to determine this eligibility; and

WHEREAS, Human Resources does not provide criminal background screening services for non-employees.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the that the Department of Public Works is hereby authorized to access state and federal level summary criminal history information for employment purposes, including volunteers and contract employees.

BE IT FURTHER RESOLVED that the Department of Public Works will not disseminate the information to a private entity.

* * * * *