

RESOLUTION 24-19

A RESOLUTION AMENDING SECTION III EMPLOYEE HIRING OF THE HYRUM CITY PERSONNEL POLICIES AND PROCEDURES MANUAL TO COMPLY WITH UTAH STATE CODE 9-7-218 REQUIRING BACKGROUND CHECK POLICY FOR LIBRARY EMPLOYEES AND VOLUNTEERS.

WHEREAS, on March 19, 1998, the Hyrum City Council adopted a personnel policy manual known as "Personnel Policies and Procedures Manual for Hyrum City Corporation"; and

WHEREAS, said manual sets forth those policies pertaining to personnel conduct, conditions of employment, employment classification, work week, benefits, payroll, and related matters; and

WHEREAS, Section III of the manual establishes the procedures for employee hiring, selection, and placement; and

WHEREAS, the City has required a background check be conducted on all new employees and this past year Utah State Code Section 9-7-218 requires a Library Background Check Policy for library employees and volunteers;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, that Section III. 4.B.(9), 4.C. Placement, and 5. Volunteers of the "Personnel Policies and Procedures Manual for Hyrum City Corporation" is hereby amended to read as follows:

1. Section III. 4.B.(9) and C. Placement of the Hyrum City Personnel Policies and Procedures Manual is hereby amended as follows:

4. PLACEMENT:

B. (9) Notice that employment may be contingent upon passing a background examination in accordance with Utah State Code, drug tests, medical/physical examinations, etc.

C. Examinations. Once Hyrum City has extended a conditional job offer or volunteer offer to the applicant:

(1) ~~Medical Examinations. Once Hyrum City has extended a conditional job offer to the job applicant,~~ A medical interview or examination may be conducted by a health professional chosen by Hyrum City to determine a job applicant's ability to fulfill essential job related requirements. All costs for required medical interviews or physical

examinations will be borne by Hyrum City. The prospective employee must sign a written release of this information to Hyrum City.

(2) Background Examinations. - In accordance with Utah Code 53-10-108, criminal background checks are conducted for successful applicants for positions and volunteer assignments. Background examinations are conducted to ensure a safe and secure environment and to comply with state and local laws.

(3) Hyrum Library also requires background checks under certain circumstances in accordance with Utah State Code 9-7-218.

(a) Definitions:

(i) "Qualifying Position" is any paid or unpaid employment position with the Library, including a volunteer position, that involves significant contact with minors or vulnerable adults.

(ii) "Qualifying Prospective Employee" means an individual who is 18 years old or older and applies for a qualifying position with the Library.

(iii) "Minor" means an individual who is under 18 years old.

(iv) "Vulnerable Adult" is an individual who is: (1) 65 years old or older or (2) a dependent adult who has a mental or physical impairment which substantially affects that individual's ability to provide personal protection, carry out the activities of daily living, or comprehend the nature and consequences of remaining in a situation of abuse, neglect, or exploitation. (See Utah Code § 76-5-111(1) (a) (xiv) (A), (D), (F).)

(v) "Significant Contact" is recurring contact.

(b) All qualifying prospective employees must submit to a criminal background check as a condition of employment (or prior to volunteering) with the Library.

(c) As part of the application process, a qualifying prospective employee shall consent to, and provide the information necessary to obtain, a criminal background check. Prior to the Library making an offer of employment, the

human resources department of Hyrum City will run a criminal background check and review the results.

- (d) If the criminal background check reveals any prior criminal offenses, the Library may disqualify the qualifying prospective employee. If a qualifying prospective employee is disqualified based on the information obtained through the criminal background check, the Library will give the qualifying prospective employee written notice of the reasons for the disqualification and two business days to submit a written response to the reasons for disqualification.
- (e) The Library may charge a fee for the cost of the background check.
- (f) This policy is reviewed and submitted to the State Library of Utah by the City Library Director every three years to verify it meets the legal requirements for library employees who have significant contact with minors.
- (g) This policy was approved by Resolution 24-19 on May 16, 2024.

2. Section III. 5.E. Library Volunteers the Hyrum City Personnel Policies and Procedures Manual is hereby added as follows:

E. Library Volunteers shall adhere to the Background Examination Policy in Section IV. Placement. C. Examinations of Hyrum City Personnel Policies and Procedures Manual.

THIS RESOLUTION shall become effective upon adoption.

ADOPTED AND PASSED by the Hyrum City Council this 16th day of May, 2024.

HYRUM CITY CORP.

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder