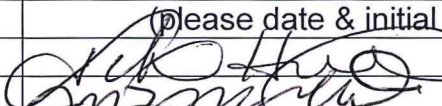
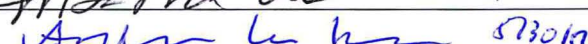


# EmployIndy

Defining Success. Driving Growth.

## POLICY OF EMPLOYINDY

<b>Policy Name</b>	Background Check
<b>Policy Number</b>	2015-035
<b>Program Funding Stream</b>	WIOA-Adult, Dislocated Worker, and Youth
<b>Executive Team Approval</b>	(Please date & initial below)
CFO	 5/28/17
COO	" "
<b>President Approval</b>	 5/30/17

REV	Description of Change	Author	Effective Date	Review Date
	Reissued and replaced policy #2013-OP-001, Background Check	S. Phillips	Upon Approval	12/31/16
1	Added WIOA Youth to funding source; added language to policy statement.	S. Johnson	Upon Approval	6/30/2018

### 1. Purpose

To provide guidance to WorkOne service providers on the use of criminal and/or motor vehicle background checks.

### 2. Scope

To establish criteria around the use of criminal and/or motor vehicle background checks for the development of an Academic Career Plan or as a counseling tool prior to training investment.

### 3. Summary of the Law, Rules, and Governing Policies

Section 134(c)(3)(G) of the Workforce Innovation and Opportunity Act provides that training services shall be provided through the use of individual training accounts and shall be provided to eligible individuals through a one-stop delivery system.<sup>1</sup>

### 4. Responsibilities

<sup>1</sup> 29 U.S.C. § 3174(c)(3)(G)

EmployIndy Career Services Department is responsible for providing guidance, validation and periodic review of this policy and ensuring this policy is appropriately implemented by contracted WorkOne service providers.

Service providers are responsible for conducting background checks on those individuals outlined in the Policy Statement.

## 5. Policy Statement

EmployIndy directs training investment based on occupations in high growth/high demand and leading to a self-sufficient wage. Assessing a training client's placement ability within a particular occupation and/or industry meeting these criteria, on occasion, requires the use of a criminal and motor vehicle background check.

Service providers shall conduct background checks on clients requesting funding to support training.

Results of the background check should be evaluated on a case-by-case basis to determine if the results of the background check would allow for placement if the said training was funded.

Should the results of the background check reveal a history which is not conducive to the requested occupation or industry, the client shall be counseled and encouraged to explore other training options more accepting of the history. EmployIndy may deny funds for specific training programs based on the results of the background check, but EmployIndy will offer training funds for other programs where employers are more accepting of the results of the background check.

All eligible individuals, regardless of the results, may receive career services.<sup>2</sup>

Contracted service provider staff will ensure that all background check information, whether electronic or paper, will be safeguarded in accordance with DWD Policy 2013-03.<sup>3</sup>

## 6. Exceptions

None.

## 7. Definitions

None.

## 8. Related Policies and Documents

EmployIndy *Individual Training Account Policy*  
Indiana Department of Workforce Development, "MEMORANDUM Interim Guidance on Eligibility and Data Validation, Except Youth and Adult Education -Version 3."<sup>4</sup>

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<sup>2</sup> Career services are defined at 20 C.F.R. § 678.430 "What are career services?"

<sup>3</sup> Indiana Department of Workforce Development, "DWD Policy 2013-03: Requirements Pertaining to Confidential and Privileged Information." [http://www.in.gov/dwd/files/DWD\\_Policy\\_2013-03.pdf](http://www.in.gov/dwd/files/DWD_Policy_2013-03.pdf)

<sup>4</sup> [http://www.in.gov/dwd/files/WIOA\\_eligibility\\_and\\_data\\_validation\\_interim\\_guidance\\_final\\_v3.pdf](http://www.in.gov/dwd/files/WIOA_eligibility_and_data_validation_interim_guidance_final_v3.pdf)

Indiana Department of Workforce Development, "DWD Policy 2013-03: Requirements Pertaining to Confidential and Privileged Information."<sup>5</sup>

United States Department of Labor, "TEGL 31-11: Update on Complying with Nondiscrimination Provisions: Criminal Record Restrictions and Disparate Impact Based on Race and National Origin."<sup>6</sup>

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<sup>5</sup> [http://www.in.gov/dwd/files/DWD\\_Policy\\_2013-03.pdf](http://www.in.gov/dwd/files/DWD_Policy_2013-03.pdf)

<sup>6</sup> [https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_31\\_11\\_acc.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_31_11_acc.pdf)