

ORDINANCE NUMBER 603

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING SECTION 19.H OF THE CITY'S EMPLOYEE MANUAL, AND REPEALING ORDINANCE NUMBER 406.

WHEREAS, the City desires to update its policies regarding conducting reference and background checks of prospective employees and certain volunteers;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Section 19.H of the City of Cottonwood Employee Manual is hereby amended to read as follows:

H. Background/Reference/Criminal History Investigations

1. All applicants for City employment will be required to execute a release authorizing the release of documents and information by current or prior employers, educational institutions, and any other references provided by the applicant; and authorizing the City to search and examine any and all publicly available information about the applicant.
2. After an applicant has been selected for employment, but prior to the employment of the applicant, the Human Resources Department may verify (or confirm that the hiring department has verified) the applicant's prior work history and educational background as represented on the applicant's application, as well as any other pertinent information furnished by the applicant. The Human Resources Department may also conduct any additional investigations and inquiries it deems reasonable and appropriate to ascertain the applicant's qualifications and suitability for employment by the City, and for the specific position the applicant would be occupying.
3. An applicant who has been selected for employment may be required to submit to a fingerprint/criminal background check conducted by the Arizona Department of Public Safety in accordance with Arizona Revised Statutes Section 41-1750 and Public Law 92-544 as a condition of any final offer of employment.

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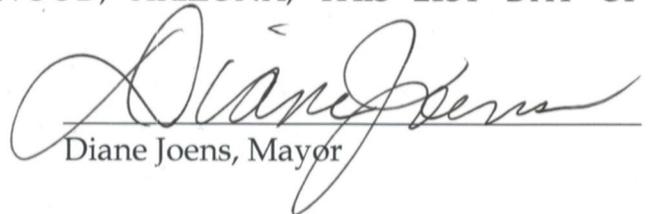
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4. The above procedures will also apply to any prospective volunteer who will or may have unsupervised contact with children or vulnerable adults as defined by A.R.S. Section 13-3623.F.6, including but not limited to recreation program and library volunteers.
5. Records obtained pursuant to this subsection will be maintained and disclosed in accordance with the Arizona Public Records Law and the applicable records retention schedule(s) published by the Records Management Division of the Arizona State Library, Archives and Public Records.

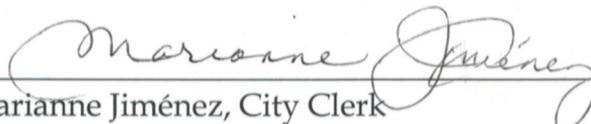
Section 2: That Ordinance 406 and any other prior conflicting ordinances, resolutions, code provisions, policies and/or procedures are hereby repealed, provided, however, that a duly adopted policy or procedure that is either mandated by statute and/or more stringent than the procedures set forth in Section 1 above shall not be considered to be in conflict with the provisions thereof.

Section 3: That if any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remainder hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 21ST DAY OF JANUARY, 2014.

  
Diane Joens, Mayor

ATTEST:

  
Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

  
Steve Horton, City Attorney