

## HR-59 - Criminal Activity Reporting and Background Checks

Owner: Human Resources

### Key Points

- This policy applies to all The MetroHealth System (MHS) Workforce Members.<sup>1</sup>
- This policy establishes the requirements for background checks and self-reporting of Convictions<sup>2</sup> and certain Charges/Arrests<sup>3</sup> and the procedures of management's assessment of the same.

### Policy

1. MHS supports a working and patient care environment that is safe for all staff, patients, and visitors; as such, Workforce Members are expected to conduct themselves in accordance with all federal, state, and local laws both in the workplace and in the community.
2. MHS conducts criminal background checks on candidates selected for employment, and MHS has background check requirements for other Workforce Members who engage in services or training at MHS. Workforce Members and candidates for employment are also required to self-disclose criminal Convictions and Charges/Arrests, as defined in this policy, both pre- and post-employment/service.
3. MHS supports an inclusive and diverse workforce and ex-offender reentry. A Charge/Arrest or Conviction is not necessarily a bar to employment or services/training. MHS conducts a fair and job-related assessment of information disclosed by employees' background check information. MHS follows all applicable laws and regulations that preclude individuals from employment or services/training based on criminal history, as well as all laws and regulations that govern criminal history inquiries and the background check process. Consideration of a Workforce Member's criminal history is job-related and consistent with business necessity.

### Pre-Employment and Pre-Services/Training Background Checks

4. All final candidates offered conditional employment by MHS are subject to a background check. A background check is required regardless of the classification of offered employment, including full-time, part-time, regular, temporary, or PRN.
5. An employment candidate has the opportunity to verify the accuracy of information that is received through the background check process, including pre-adverse action notification.

6. MHS maintains background check requirements for other Workforce Members who engage in services or training at MHS. Continued provision of services/training is conditioned upon successful completion of the background check process. MHS may perform the background check process directly, or MHS may have the involved school, contractor, vendor, or other outside party perform the check and assess the results and confirm its assessment to MHS.
7. At the time of application for employment or to engage in training or services, all individuals are required to give MHS (or the applicable outside party) authorization to conduct background checks which may include a criminal history check and other data sources relevant to the position sought both at the time of application and at any future time during their consideration as a candidate, or any period of employment or services/training. MHS management may conduct or request criminal background checks of employees and other Workforce Members at any time, including unannounced or random checks after the date of hire.
8. Background checks and other screenings may take several weeks to be processed. In special circumstances, MHS may allow certain Workforce Members to start conditional employment, services, or training, or begin new covered duties or responsibilities, before the complete results are received and assessed. If the results lead to a conclusion that the individual is not suitable, the individual's employment, services or training is terminated.
  - 8.1. All aspects of the Department of Pharmacy's background checks must be completed prior to employment. For Hospital Pharmacy a background check includes criminal background, FBI/BCI, OIG/SGA debarment, social security trace, drug screen, education, prior employment and license and/or certification checks.
9. Any omissions of information or inaccuracies submitted by a Workforce Member during application or during the background check process, regardless of when it is discovered, may be cause for revocation of any conditional offer of employment, or immediate termination of employment, services, or training.

#### Self-Reporting Requirements for Workforce Members

10. All Workforce Members are required to self-report Charges/Arrests and all Convictions as defined in this Policy to MHS management within 3 business days of the applicable Charge/Arrest or Conviction. Employees are required to report the Charges/Arrests and Convictions to the Human Resources department by completing the Self-Disclosure Form (Attachment A). Other Workforce Members should report Charges/Arrests and Convictions in writing to the member of MHS management who oversees their services or training.
11. Due to the public and safety-sensitive nature of MHS' operations, where a Workforce Member expects to be arrested, indicted, charged, or convicted, they are expected to notify management of the circumstances relating to the case as soon as possible, and prior to the arrest, indictment, charge or conviction.
12. Failure to disclose a Charge/Arrest or Conviction as required may be grounds for immediate termination of employment, services or training.

13. All Workforce Members are required to immediately disclose to MHS management or the Ethics and Compliance department any investigation, debarment, exclusion, suspension, or other event affecting any certification or licensure issued to that Workforce Member that potentially makes the individual or entity ineligible for employment, medical staff privileges, or any relationship that involves the provision of services to MHS. This is reported to Human Resources or to the Ethics and Compliance department.

#### Investigation and Further Action

14. Upon receiving positive results on a background check or self-disclosure of a Workforce Member's Charge/Arrest or Conviction, management conducts an investigation and makes a determination regarding the individual's suitability for employment, services or training. The Workforce Member is required to cooperate with any such investigation, including, but not limited to providing any necessary release allowing management to communicate with any outside party to receive necessary information.
15. Management assesses whether a Conviction or Charge/Arrest is one that automatically disqualifies the individual from employment or services/training under applicable laws or regulations. Convictions and Charges/Arrests for offenses that do not result in automatic disqualification are considered on an individualized, case-by-case basis considering numerous factors, including, but not limited to, the circumstances of the conduct underlying the Charge/Arrest or Conviction, when the alleged conduct occurred, the nature and gravity of the conduct itself, and its nexus to the Workforce Member's involvement with MHS.
16. Depending on the circumstances, a Workforce Member may be placed on administrative leave until the investigation is completed and a determination is made as to whether the individual is suitable for employment or services/training. The leave will generally be unpaid in accordance with policy [HR-64 - Administrative Leave](#), though an employee may be permitted to use available accrued vacation or personal time to cover the leave. Because information in these situations can take extensive time to obtain and assess, unpaid time will not be capped at five (5) of the employee's scheduled workdays under policy [HR-64 - Administrative Leave](#).

## End Notes

- <sup>1</sup> Workforce Member: Employees, providers, volunteers, trainees, and other persons whose conduct, in the performance of work for MHS, is under the direct control of such entity, whether or not they are paid by MHS.
- <sup>2</sup> Conviction: A determination made by a jury, judge, or similar authority that an individual is guilty of any criminal offense, including acceptance of any plea of guilt, “no contest”, or “nolo contendere.” This includes all levels of misdemeanors or felonies. This includes all felony or misdemeanor drug offenses, including where a court grants intervention in lieu of conviction (ILC), treatment in lieu of conviction (TLC), or a similar diversion program. It does not include minor misdemeanor drug possession convictions under Ohio Rev. Code Sec. 2925.11(D). It includes any offense involving driving under the influence (DUI), driving while intoxicated (DWI), operating a vehicle while impaired (OVI), operating a motor vehicle while under the influence (OMVI), or similar offense. It does not include minor traffic violations.
- <sup>3</sup> Charge/Arrest: An arrest, complaint, charge, indictment or similar allegation that an individual committed any level of violation of any criminal statute, or any existing or former criminal law that is similar in nature. This includes all levels of misdemeanors or felonies. This includes all felony or misdemeanor drug offenses, including where a court grants intervention in lieu of conviction (ILC), treatment in lieu of conviction (TLC), or a similar diversion program. It does not include minor misdemeanor drug possession charges or arrests under Ohio Rev. Code Sec. 2925.11(D). It includes any offense involving driving under the influence (DUI), driving while intoxicated (DWI), operating a vehicle while impaired (OVI), operating a motor vehicle while under the influence (OMVI), or similar offense. It does not include minor traffic violations.

## Attachments

[HR-59A - Self-Disclosure Form](#)

## Dates

Initiated October 1, 2001 – Revised December 2018, March 2020. March 2024, November 2024, April 2025

## Approved

Deborah Southerington, SVP Human Resources Operations  
MHS Policy Committee