



MARIPOSA COUNTY

Human Resources/Risk Management • (209) 742-1375



RESOLUTION - ACTION REQUESTED 2016-100

MEETING: March 1, 2016

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: County Reference Check Policy

RECOMMENDATION AND JUSTIFICATION:

Rescind Resolution 97-359 - a Resolution Setting Policy for Disseminating Information Regarding Current or Former Employees and Approve an Updated Mariposa County Reference Check Policy.

Staff originally presented this item at the January 26, 2016, Board of Supervisors meeting for review and approval. Based on input provided by the Board at that meeting, staff is returning to the Board with a slightly modified Mariposa County Reference Check Policy that includes the following changes from the version presented to the Board on January 26th:

- The updated Policy clarifies that a request for a Reference Check received by the County need only be put into writing if the County has not received the appropriate Waiver Form (page one of the attached Policy).
- The updated Policy clarifies that Reference Checks will only be conducted on candidates who are finalists for County positions (page two of the attached Policy).
- The word Agency has been replaced with the word County under the section of the Policy that addresses Maintaining Confidentiality of Source Information (page three of the attached Policy).

Staff now recommends the approval of the attached, updated Mariposa County Reference Check Policy.

This draft Policy was developed primarily using template information provided by the County's labor law firm, Liebert, Cassidy & Whitmore, and was reviewed by the County's Department Heads, labor unions and by a senior partner at the Liebert, Cassidy & Whitmore law firm.

The County Board of Supervisors adopted a Reference Check Policy in 1997 that governs the process by which staff provides or conducts Reference Checks on behalf of the County. But legal changes since 1997 make an updated Board

approved Policy imperative in order provide a consistent, orderly and legally enforceable Reference Check process for the County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors adopted Resolution number 97-359 in 1997 that adopted a Policy relative to disseminating information regarding current or former employees. A revised version of this Policy was presented to the Board of Supervisors at their November 9, 2015 meeting for review and comments.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

A non-affirmative vote would mean that the County would be out of legal compliance in regards to employees either conducting or providing Reference Check information on behalf of the County.

ATTACHMENTS:

Reference Check Policy November 2015 (DOCX)

Reference Check Policy March 2016 (DOCX)

CAO RECOMMENDATION

Requested Action Recommended



Mary Hodson, CAO

1/19/2016

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier