

Report to the Task Force on Inventorying Employment Restrictions Act

Current Employment Restrictions

Office of the Comptroller

For each occupation subject to a criminal records-based restriction, the agency shall set forth the following:

- 1) The job title, occupation, job classification, or restricted place of employment, including the range of occupations affected in such places.

Any individual hired by the Comptroller's Office is subject to a background check. (see attached list of titles)

- 2) The statute, regulation, policy, and procedure that authorizes the restriction of applicants for employment and licensure, current employees, and current licenses.

There are no specific restrictions to employment at the Comptroller's Office based on a background check.

- 3) The substance and terms of the restriction, and

No specific restrictions are in place.

- (A) If the statute, regulation, policy or practice enumerates disqualifying offenses, a list of each disqualifying offense, the time limits for each offense, and the point in time when the time limit begins.

See above response.

- (B) If the statute, regulation, policy or practice does not enumerate disqualifying offenses and instead provides for agency discretion in determining disqualifying offenses, the criteria the agency has adopted to apply the disqualification to individual cases. Restrictions based on agency discretion include, but are not limited to, restrictions based on an offense "related to" the practice of a given profession; an offense or act of "moral turpitude"; and an offense evincing a lack of "good moral character".

Background checks indicating criminal offenses are reviewed by senior management to determine if the offense may be disqualifying.

- 4) The procedures used by the agency to identify an individual's criminal history, including but not limited to disclosures on applications and background checks conducted by law enforcement or private entities.

Job application includes language asking individuals to disclose convictions of any criminal offense other than a minor traffic violation. Background checks are run by the Illinois State Police.

- 5) The procedures used by the agency to determine and review whether an individual's criminal history disqualifies that individual.

Background checks are reviewed by senior management.

- 6) The year the restriction was adopted, and its rationale.

The Comptroller's Office began requiring background checks in 2000.

Any exemption, waiver, or review mechanisms available to seek relief from the disqualification based on a showing of rehabilitation or otherwise, including the terms of the mechanism, the nature of the relief it affords, and whether an administrative and judicial appeal is authorized.

N/A

- 7) Any statute, rule, policy and practice that requires an individual convicted of a felony to have his civil rights restored to become qualified for the job; and 9 copies of the following documents:

N/A

(A) Forms, applications, and instructions provided to applicants and those denied or terminated from jobs or licenses based on their criminal record. **N/A**

(B) Forms, rules and procedures that the agency employs to provide notice of disqualification, to review applications subject to disqualification, and to provide the exemptions and appeals of disqualification. **N/A**

(C) Memos, guidance, instructions to staff, scoring criteria and other materials used by the agency to evaluate the criminal histories of applicants, licensees, and employees. **N/A**

(D) Forms and notices used to explain waiver, exemption and appeals procedures for denial suspensions and terminations of employment or licensure based on criminal history.

N/A