



New Jersey Department of Children and Families Policy Manual

Manual:	DCF	DCF Wide	Effective Date:
Volume:	III	Administrative Policies	
Chapter:	A	Human Resources	6-13-2008
Subchapter:	1	Human Resources	
Issuance:	007-2008	Fingerprinting of Employees, Volunteers, and Interns	

I.PURPOSE

The purpose of this Policy is to ensure that all Department of Children and Families (DCF) employees, volunteers, and interns undergo a State and Federal Criminal History Record Information background check, including, but not limited to fingerprinting, prior to employment or assignment.

II.SCOPE

This Policy applies Department-wide.

III.AUTHORITY

N.J.S.A. 9:3A-14 Criminal History Record Information Check
 N.J.A.C. 13:59-1.2 Dissemination for Noncriminal Justice Purposes

IV.DEFINITIONS

The following term when used in this Policy, has the meaning indicated:

CHRI means Criminal History Record Information received from the New Jersey State Police and Federal Bureau of Investigation (FBI) Identification Bureaus in response to individual fingerprint or name search inquiries.

V.POLICY

- A. Every employee, volunteer, and intern, regardless of the position he or she may hold in DCF, is subject to a State and Federal CHRI background check, including but not limited to fingerprinting.
- B. Any potential employee, volunteer, or intern, regardless of the position he or she may hold in DCF, shall undergo a State and Federal CHRI background check, including but not limited to fingerprinting, prior to employment or assignment.

- C. Any employee, volunteer, or intern transferring to DCF from another State agency is subject to a State and Federal CHRI background check, including but not limited to fingerprinting.
- D. The Commissioner of DCF is authorized to exchange fingerprint data with, and receive information from, the Division of State Police for State criminal history information and the FBI for Federal and other states' criminal history information. All fingerprinting shall be coordinated through the Central Fingerprinting Unit (CFU) within the Department of Human Services. Specific procedures for the completion, submission, and retention of fingerprinting records of convictions for crimes or offenses shall be developed and distributed by the CFU.
- E. Any current or prospective employee shall retain any available right of review by the Merit System Board in the NJ Department of Personnel of any decisions made per the policies and procedures contained in this Policy.
- F. Any potential employee, volunteer, or intern with a criminal conviction or disorderly persons offense who failed to indicate a criminal conviction or disorderly persons offense on their application and/or affidavit for employment shall not be hired.
- G. Employees, volunteers, and interns are obligated to provide written notification to the Office of Human Resources immediately after any subsequent convictions of a crime or disorderly persons offense during their employment or assignment with DCF, in accordance with the [Criminal or Disorderly Persons Offense Conviction Notification Statement](#) (Attachment 1).

VI. RESPONSIBILITIES

- A. The DCF Commissioner, Chief of Staff, Directors, and Chief Executive Officers shall ensure that any employee, volunteer, or intern previously hired and considered for promotion, reassignment, or transfer to DCF is properly and thoroughly re-screened in accordance with this Policy. This also applies to volunteers and interns who become DCF employees.
- B. The Director of Administration, in conjunction with the manager/supervisor, may approve the selecting/hiring of a qualified individual who possesses conviction(s) of minor offenses not enumerated as a potential disqualifier in N.J.S.A. 9:3A-14 and identified as such in the Central Fingerprinting Unit CHRI Confidential Response.
 - 1. The Waiver to Hire Applicant with a Criminal Conviction or Disorderly Persons Offense, Not Enumerated in N.J.S.A. 9:3A-14 form (Attachment 2) must be approved by the manager/supervisor, Division Director, and the Director of Administration.

2. This approval should be appropriately recorded in the individual's personnel file.
- C. The Director of Administration must seek the approval of the Commissioner to employ an individual, or select a volunteer or intern, who has been convicted of a crime or offense enumerated as a disqualifier in N.J.S.A. 9:3A-14 and identified as such in the Central Fingerprinting Unit CHRI Confidential Response.
1. The Waiver to Hire an Applicant with Criminal Conviction or Disorderly Persons Offense, Enumerated in N.J.S.A. 9:3A-14 form (Attachment 3) must be executed and approved by the manager/supervisor, Division Director, Director of Administration and the Commissioner prior to employing/selecting such applicant.
 2. This approval should be appropriately recorded in the individual's personnel file.
- D. If the CHRI is used to disqualify a person from obtaining or holding any position or employment, or performing any services, whether compensated or uncompensated, the Department and the CFU shall provide the subject of the CHRI with adequate notice and a reasonable amount of time to confirm or deny the accuracy of the record prior to a final determination or decision concerning the subject's eligibility for the position or employment. A person is presumed innocent of any pending charges or arrests for which there are no final dispositions indicated on the record.

Date

Eileen M. Crummy
Acting Commissioner

Attachments:

1. [Criminal or Disorderly Persons Offense Conviction Notification Statement](#)
2. Waiver to Hire Applicant with A Criminal Conviction or Disorderly Persons Offense Not Enumerated in N.J.S.A. 9:3A-14
3. Waiver to Hire Applicant with A Criminal Conviction or Disorderly Persons Offense Enumerated in N.J.S.A. 9:3A-14