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Recruitment and Employment Practices Policy (#1116)

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NOTE: The first appearance of terms in bold in the body of this document (except titles) are defined terms – please refer to the Definitions section.

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OBJECTIVES

- Alberta Health Services (AHS) is committed to providing a safe and secure environment for both **AHS people** and patients. AHS complies with all legislative requirements regarding the recruitment and selection of AHS people. Successful candidates for positions with AHS must undergo **security screening**. Additionally, all AHS people have an ongoing duty to disclose any charge or conviction. Disclosures of charges or convictions must be assessed consistently as set out in this Procedure.

APPLICABILITY

Compliance with this document is required by all Alberta Health Services employees, members of the medical and midwifery staffs, students, volunteers, and other persons acting on behalf of Alberta Health Services (including contracted service providers as necessary).

ELEMENTS**1. Points of Emphasis**

- 1.1 Applicable collective agreements, *Non-Union Exempt Employees Terms and Conditions of Employment* or written employment contracts take precedence in the case of a conflict with this Policy.

2. New Hires and Rehires

- 2.1 **Criminal record checks** dated not more than 90 days prior to the written offer of employment are mandatory for all AHS positions.

- 2.2 Candidates must request a criminal record check from the law enforcement body in their local area/town/city of residence. Criminal record checks performed by a RCMP-certified third-party provider are acceptable for those positions that require only a criminal record check.
- 2.3 Hiring **managers** are responsible for notifying prospective candidates that:
- a) should a conditional offer of employment be made, a criminal record check is required prior to commencement of duties;
 - b) the criminal record check must be satisfactory to AHS; and
 - c) the cost of the criminal record check will be borne by the candidate.
- 2.4 Hiring managers are responsible for determining any additional types of police information that need to be requested as part of the security screening process (e.g., Vulnerable Sector Search). Refer to the AHS *Process for Criminal Record Checks* for additional information.
- 2.5 The successful candidate will be provided with instructions on how to submit an electronic copy of the original criminal record check during the onboarding process.
- 2.6 A copy of a clear criminal record check is placed on the successful candidate's file, as applicable (e.g., e-Record, volunteer file). A copy of a **non-clear** criminal record check is retained in the secure non-clear criminal record check database maintained by Employee Relations (ER). A letter must be placed on the e-Record stating that the non-clear criminal record check is retained in the ER file.
- 2.7 AHS people who are rehired more than 30 days after termination are required to submit a new criminal record check.
- 2.8 AHS people who are rehired less than 30 days after termination, but for whom AHS does not have a criminal record check that is satisfactory to AHS on file, are required to submit a new criminal record check.
- 2.9 Any false or misleading information provided by a candidate or an AHS person during the security screening process may be grounds for termination without notice.

3. Security Levels

- 3.1 **Security levels** ensure that employees of AHS have undergone the appropriate level of criminal record check or Vulnerable Sector Search as required for their position.
- 3.2 All existing AHS positions must be assigned a security level by Human Resources. Levels assigned are position-dependent.

- 3.3 Managers are responsible to assign the appropriate security level for new positions, as specified in the AHS *Security Levels* document. Security levels of all positions are reviewed regularly in order to maintain organizational consistency.
- 3.4 Hiring managers may request a change to the security level of a position as required, using the AHS *Security Level Change Process Request Form*.
- 3.5 Security level requirements:
- a) Level 1 - The minimum security screening requirement for all AHS positions:
 - (i) requires a criminal record check.
 - b) Level 2 - Positions of trust or authority towards vulnerable persons:
 - (i) requires a criminal record check and Vulnerable Sector Search.
 - c) Level 3 - Enhanced or other:
 - (i) requires a criminal record check and/or Vulnerable Sector Search, and other externally-specified requirements.
- 3.6 When an internal employee transfers positions, the employee must meet the requirements of the security level of the position transferred into. This may require the provision of an updated criminal record check or Vulnerable Sector Search at the employee's cost.

4. Non-Clear Criminal Record Check

- 4.1 In cases when a non-clear criminal record check is provided, ER must review, and a security screening recommendation must be provided (see the AHS *Process for Criminal Record Checks*).
- 4.2 ER notifies the hiring manager of the security screening recommendation. The security screening recommendation is based on the nature of the information disclosed in the non-clear criminal record check, including, but not limited to:
- a) the type of occurrence or offence;
 - b) the seriousness of the occurrence or offence;
 - c) the recency of the occurrence or offence;
 - d) the relevance of the criminal record or police information to the position sought; and
 - e) any potential liability or risk to AHS.

5. Duty to Disclose Charges or Convictions

- 5.1 AHS people have an ongoing duty to disclose any criminal charge or conviction to their manager as soon as reasonably possible. At the request of an AHS person, a Human Resources Business Partnerships (HRBP) Advisor must explain the disclosure process and how disclosures are assessed.
- 5.2 When an AHS person has disclosed a criminal charge or conviction, the manager, in consultation with their HRBP Advisor and ER, assesses and determines the most appropriate steps to address the disclosed information. The assessment includes, but is not limited to:
- a) whether there is a risk to the safety of patients and staff;
 - b) whether there is a risk to AHS' legitimate operational concerns including its reputation and/or ability to maintain public confidence; and
 - c) the nature of the criminal charge or conviction, as it relates to the individual's role and responsibilities.
- 5.3 Once the assessment is completed, the manager must notify the AHS person that the charge or conviction either does or does not impact their position with AHS.
- 5.4 When the charge or conviction does impact the AHS person's position, and based on the further assessment of the disclosed information and in consultation with the applicable HRBP Advisor, ER must recommend appropriate steps to the manager. The AHS person must be notified of the appropriate steps by the manager.

DEFINITIONS

AHS people means Alberta Health Services employees, members of the medical and midwifery staffs, students, volunteers, and other persons acting on behalf of Alberta Health Services (including contracted service providers as necessary).

Criminal record check means a document that details an individual's relevant contact and dealings with law enforcement, as determined and issued by law enforcement. It may also include a Vulnerable Sector Search and/or other security clearance requirements in accordance with the applicable role requirements.

Manager means the individual(s) who has the delegated human resource authority for directly planning, monitoring, and supervising direct (employee) reports.

Non-clear means any police or criminal record information disclosed on a criminal record check.

Security levels means numeric values that represent the security screening requirements for all AHS positions and employees.

Security screening means the process of determining whether a candidate meets the applicable AHS security requirements.

REFERENCES

- Alberta Health Services Governance Documents:
 - *Recruitment and Employment Practices Policy* (#1116)
- Alberta Health Services Forms:
 - *Security Level Change Process Request Form* (#19911)
- Alberta Health Services Resources:
 - *Collective Agreements*
 - *Non-Union Exempt Employees Terms and Conditions of Employment*
 - *Process for Criminal Record Checks*
 - *Security Levels*
 - *Security Screening FAQs*

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