



Cuyahoga County Code

[Home](#)
[Preface](#)
[Certification](#)
[Roster of Officials](#)
[Charter](#)
[Title 1: General Provisions](#)
[Title 2: County Organization](#)
[Title 3: Employment Practices](#)
[Chapter 301: Personnel Review](#)
[Commission](#)
[Chapter 302: Personnel Policies &](#)
[Procedures](#)
[Chapter 303: Civil Service Plan](#)
[Chapter 304: Ohio Public Employees](#)
[Retirement System Contributions](#)
[Chapter 305: Cuyahoga County Non-](#)
[Bargaining Classification Plan](#)
[Chapter 306: Prohibition on](#)
[Consideration of Criminal Conviction for](#)
[Employment](#)
[Title 4: Ethics](#)
[Title 5: Contracts and](#)
[Purchasing](#)
[Title 6: County Property and](#)
[Assets](#)
[Title 7: Revenue and Finance](#)
[Title 8: Economic Development](#)
[and Regional Collaboration](#)
[Title 11: Equity](#)
[Title 12: Voting Rights](#)

You are here: [Home](#) > [Title 3: Employment Practices](#) > Chapter 306: Prohibition on Consideration of Criminal Conviction for Employment

Chapter 306: Prohibition on Consideration of Criminal Conviction for Employment

Section 306.01 Removal of Criminal Background Question from Employment Application and During Initial Screening/Interview Process

- A. Cuyahoga County may not ask about criminal background on applications for County employment, whether on-line or on paper.
- B. Cuyahoga County may not inquire into the criminal background of any applicant for employment, until such time as the applicant has been offered conditional employment.
- C. Cuyahoga County will include a disclaimer on all job applications indicating that conviction of some misdemeanors and felonies may preclude applicants from serving in some county positions and all job openings will require a background check at the time of conditional offers of employment.

(Ordinance No. [O2012-0005](#), Enacted 8/28/2012, Effective 9/30/2012)

Section 306.02 Conditions Under Which the County May Consider Criminal History When Making Employment Determinations

- A. The County may inquire into and consider the criminal history of an applicant for employment:
 1. When required by law to use such criteria in making a hiring decision.
 2. At the time of or once the applicant has been offered conditional employment.
- B. When the County inquires into and considers the criminal history of a candidate under Section 306.02(A)(2) of the County Code, the County will apply the nexus test for each position as required by law, including, but not limited to, considering the following criteria:
 1. The nature of the offense for which the applicant was convicted
 2. The length of time that has passed since the conviction occurred.
 3. The relationship of the conviction to the duties and responsibilities of the position for which the candidate is being considered for employment.
 4. Any positive changes demonstrated since the conviction.

(Ordinance No. [O2012-0005](#), Enacted 8/28/2012, Effective 9/30/2012)

Section 306.03 Exceptions

The provisions of Section 306.01 of the County Code shall not apply if the inquiries or actions are specifically related to the consideration of applicants for positions as Deputy Sheriffs and Regional Enterprise Data Sharing System (REDSS) Staff.

(Ordinance No. [O2012-0005](#), Enacted 8/28/2012, Effective 9/30/2012)

Section 306.04 Instructions to the Department of Human Resources

The Department of Human Resources shall make whatever changes are necessary to existing human resource policies and practices to ensure compliance with Chapter 306 of the County Code by all departments, agencies, offices, boards and commissions under the direction of the County Executive or County Council.

(Ordinance No. [O2012-0005](#), Enacted 8/28/2012, Effective 9/30/2012)

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