



CREDIT UNION DEPARTMENT

Harold E. Feeney
Commissioner

Robert W. Etheridge
Deputy Commissioner

AUTHORITY FOR RELEASE OF INFORMATION

This release constitutes my consent and authority for the Credit Union Department to examine and obtain copies and abstracts of records and to receive statements and information regarding my background. I have read Department **Policy #209** and understand the Department may use the information it acquires when making decisions related to employment.

I hereby authorize the release of the following data of records to the Credit Union Department: (check all that apply)

- Credit reporting
- Employment information
- Educational information
- Driving and Criminal records

This information is given in connection with my application for employment with the Credit Union Department.

Name _____

Address _____

City/State _____

Social Security # _____

Texas Drivers License # _____

DPS Audit # _____

Date of Birth _____

Signed _____ Date _____



CREDIT UNION DEPARTMENT POLICY

Policy #209

May 2, 2016

CRIMINAL HISTORY RECORD INFORMATION POLICY APPLICANTS AND EMPLOYEES

INTRODUCTION

Background screening can assist the Credit Union Department (the “Department”) in hiring qualified applicants, while simultaneously reducing turnover, deterring fraud, and avoiding litigation. However, to be effective, the Department has established written criteria for using background screening and for circumstances or positions that may warrant increased screening procedures based upon duties or perceived risks.

AUTHORITY

Under TEX. GOV’T CODE §411.1407, the Department may obtain from the Department of Public Safety (“DPS”) the criminal history record information maintained by the DPS and any other federal or state agency that relates to an applicant for employment by the Department or an employee of the Department if the duties of the position applied for or held requires the employee to gain access to highly confidential state or federal data. The Department may update this information from time to time. The Department may also submit fingerprints and receive Federal Bureau of Investigation (“FBI”) identification records on the individuals listed above.

Evidence of a criminal conviction or other relevant information obtained from the criminal history record information shall not automatically disqualify an individual from employment with the Department. Consideration of such information shall be in conformity with applicable federal and state statutes.

ASSESSING JOB RELATED CRIMINAL HISTORY

- The Department will determine, on a case-by-case basis, whether an individual about whom such information has been obtained is qualified for employment in accordance with Procedure 209.

ADVERSE INFORMATION

If the Department uses the criminal history record information in order to make an employment decision or take a personnel action, the Department shall give the affected applicant or employee notice of the use of the information and an opportunity to correct or challenge any inaccuracies in the information, in accordance with Procedure 209.

CONFIDENTIALITY

Criminal history background check records shall be handled and retained in accordance with applicable state and federal laws. Criminal history record information, including conviction information contained therein, will be regarded as confidential as required by law and will not be made part of the applicant's file or the employee's personnel file or communicated to any unauthorized person. Under TEX. GOV'T CODE §411.085, it is a criminal offense to knowingly or intentionally obtain criminal history record information in an unauthorized manner, use the information for an unauthorized purpose or disclose the information to a person who is not entitled to the information; or violate Department of Public Safety ("DPS") rules published in accordance with Chapter 411, Subchapter F, TEX. GOV'T CODE.

Criminal history record information obtained by the Department under this section may not be released by any person or agency except on court order, unless the information is entered into evidence by the Department or a court at an administrative proceeding or a civil or criminal action under Subtitle D, Title 3, TEX. FIN. CODE (Texas Credit Union Act) or with the consent of the person who is the subject of the criminal history record information.

REPORTING FORM

The Department shall make a form for reporting subsequent convictions available to all employees about whom criminal history record information could be obtained pursuant to this procedure.

Adopted effective _____

Credit Union Commissioner

RECORDKEEPING

All criminal history record information about an applicant shall be maintained and destroyed in accordance with Procedure 209.

This policy supersedes the policy dated December 1, 2015 of the same title.