

W. U. A.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 4-10

IN THE MATTER OF AMENDING CHAPTER 2 OF LANE CODE TO ESTABLISH A CRIMINAL HISTORY RECORD CHECK POLICY WITH RESPECT TO PERSONS SELECTED FOR EMPLOYMENT, COUNTY CONTRACTORS, AND VOLUNTEERS (LC 2.270)

WHEREAS, ORS 181.555 and OAR 257-10-025 establish procedures for access to criminal record information possessed by the Oregon State Police (OSP) through the Law Enforcement Data System (LEDS); and

WHEREAS, ORS 181-555(1) provides access to criminal offender information by criminal justice agencies and by other state and local agencies; and

WHEREAS, OAR 257-10-025(a) permits a Criminal Justice Agency access to OSP criminal offender information required to implement a local ordinance; and

WHEREAS OAR 166-40-080 provides for retention of employment selection information for a period of three years; and

WHEREAS, the Lane County Board of Commissioners, the Lane County Administrator, and the Lane County Sheriff find that it is in the public interest to access OSP criminal offender information through the LEDS system for applicants for employment, contract employees, and public service volunteers of Lane County.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY HEREBYORDAINS AS FOLLOWS:

Lane Code Chapter 2 is hereby amended by deleting, substituting, and adding the following section:

**DELETE THIS SECTION**

2.270  
as located on page 6-7  
(a total of 2 pages)

**INSERT THIS SECTION**

2.270  
as located on page 6-7  
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to establish a criminal history record check policy with respect to persons selected for employment, county contractors, and volunteers (LM 2.388).

Enacted date: this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

APPROVED AS TO FORM

Dated 5/27/10 Lane County

[Signature]  
Office of Legal Counsel

\_\_\_\_\_  
William A. Fleenor, Chair  
Lane County Board of Commissioners

Lane County employees and not the appointing authority, unless the Lane County Charter, state statutes or case law provides otherwise. In addition, the Lane County Sheriff, who is the Director of the Department of Public Safety, is a co-employer with the Board of County Commissioners for all Lane County classified employees who work within the Department of Public Safety of Lane County. *(Revised by Ordinance No. 7-74, Effective 7.5.74; 24-80, 1.16.81; 3-82, 1.27.82; 12-82, 5.19.82; 7-83, 3.15.83)*

### **2.260 Classification Plan.**

The Board shall cause to be prepared and shall adopt a position classification plan. The duties and responsibilities of all positions in the classified service, except as delegated in LC 2.225(1) above, shall be analyzed and each position shall be assigned to an appropriate classification according to the similarity of duties and responsibilities. Each classification shall have written specifications which shall include an appropriate title, a general description of duties and responsibilities, and a statement of minimum requirements of education and training, experience, professional licensing or certification, and other qualifications. A classification may contain one or more positions and all positions in the same classification shall be sufficiently alike to permit the use of a single descriptive title, a general statement of duties, the same qualification requirements, and the same pay range. The Board may modify the classification plan by creating or eliminating classifications. The General Administrator shall be charged with the responsibilities for determining initial classifications and approving or disapproving reclassifications of existing positions. Classification titles as established shall be used in all official personnel and financial records of the County. *(Revised by Ordinance No. 7-74, Effective 7.5.74; 24-80, 1.16.81; 16-81, 10.23.81)*

### **2.265 Compensation Plan.**

The Board shall fix the maximum and minimum salary ranges for each classification in the classified service, except as delegated in LC 2.225(1) above. The Personnel Manager shall be charged with preparing and maintaining a compensation plan covering all classes of positions in the classified service which shall include for each classification the maximum and minimum salary range, as established by the Board of Commissioners, and such intermediate rates as are considered necessary and equitable. The Personnel Manager may modify, add to, or otherwise change the compensation plan as necessary to reflect Board of Commissioners' action fixing salary ranges. *(Revised by Ordinance No. 7-74, Effective 7.5.74; 24-80, 1.16.81; 5-98, 9.9.98)*

### **2.270 Applications; Appointments and Promotions.**

(1) All persons applying for a position in the classified service shall fill out an employment application form to be provided by the Board. The qualifications of applicants for appointment or promotion shall be determined by appraisal and investigation of the application. In addition, the Board may require that applicants for positions in any designated classification achieve a passing grade on a written examination, performance test, test of physical fitness, interview or other means of determining their knowledge or ability to perform the required duties.

(2) In order for Lane County government to operate effectively, persons selected for employment, contract employees including operators of tow trucks with contracts with Lane County, and public service volunteers must have the highest degree of citizen and public trust and confidence. Public employees and volunteers are entrusted with a variety of tasks, including ensuring our health, managing the public's money, caring for those who cannot care for themselves, public safety, and handling the day-to-day duties that keep Lane County running efficiently so as to better serve our citizens.

Applicants for employment, contractors working for the County, tow truck operators with contracts with the County, and volunteers with Lane County shall be required to authorize the County to conduct a criminal offender information check through the OSP LEDS system. The County Administrator shall establish procedures in accordance with ORS 181.555 and OAR 257-10-025 to finalize the implementation of this ordinance.

(3) In case of emergency and where the interest of the county or the public probably would suffer material injury by delay, as determined by the Board, the appointing authority may employ or promote such persons as may be needed without regard to LC 2.270(1) or (2) above for a period not to exceed 30 calendar days. *(Revised by Ordinance No. 7-74, Effective 7.5.74; 24-80, 1.16.81; 3-82, 1.27.82)*

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Bold indicates material being added  
Strikethrough indicates material being deleted

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