

## Pre-Employment Checks of the Staff Exclusion List (SEL)

Requests for SEL Check	2014	
	July	YTD
<b>Automated Web Requests</b>	<b>14,157</b>	<b>90,429</b>
OPWDD	4,554	32,296
OMH	2,102	14,629
OCFS	5,466	29,893
OASAS	747	5,534
DOH	644	3,447
SED	641	4,627
<b>Faxed Requests Responded To*</b>	<b>12</b>	<b>9,368</b>
<b>Total SEL Checks Performed</b>	<b>14,166</b>	<b>99,794</b>

*\*Prior to March 3, 2014, the number of fax requests is estimated.*

### Staff Exclusion List (SEL) Checks

The pre-employment process begins by first checking to determine if job applicants are on the Staff Exclusion List, or SEL. The Justice Center is responsible for maintaining this statewide register which contains the names of individuals found responsible for serious or repeated acts of abuse and neglect. Anyone placed on the SEL is barred from ever again working for providers licensed or certified by agencies over which the Justice Center has jurisdiction.

## Pre-Employment Criminal Background Checks and Arrest Notices of Current Employees

Background Check Activity	2014	
	July	YTD
Fingerprints Processed	5,689	45,049
<i>OPWDD</i>	3,797	32,146
<i>OMH</i>	1,315	9,056
<i>OCFS</i>	577	3,847
Applicants Reviewed*	592	4,783
Denied Approval for Employment Consideration	16	111
<i>OPWDD</i>	9	52
<i>OMH</i>	5	43
<i>OCFS</i>	2	16
<b>Arrest Notices of Current Employees</b>	<b>338</b>	<b>2,138</b>

\* Candidates with a New York State and FBI reportable criminal histories are reviewed, either automatically through the Justice Center's Criminal Background Check (CBC) System or after the Justice Center CBC Unit rectifies all incomplete or inaccurate arrest information.

### Criminal Background Checks (CBC)

The Protection of People with Special Needs Act centralizes the criminal history background check process for facilities or providers overseen by the Office of Mental Health (OMH), the Office for People With Developmental Disabilities (OPWDD) and providers of residential programs for children overseen by the Office of Children and Family Services (OCFS) within the Justice Center.

Criminal background checks include fingerprinting the applicant to determine if they have ever been convicted of a crime. If no record of criminal activity is found, the applicant is then cleared to be considered for employment by the provider.

In a case where there have been one or more criminal convictions, or when there is a pending arrest, the Justice Center is required to review the record to determine if a direct relationship exists between the applicant's criminal activity and the position being sought, or granting of employment would involve an unreasonable risk to the safety or welfare of service recipients. If it is determined that the applicant's criminal record makes them unsuitable for the position for which they have applied, the Justice Center shall direct the provider to deny their employment.