



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

NOTICE TO APPLICANTS FOR EMPLOYMENT WITH THE YMCA OF SPRINGFIELD

Please consider the following before applying for employment with the YMCA of Springfield.

You are not eligible by IL Administrative Code to be employed by the YMCA of Springfield if you have any specific disqualifying criminal offense as outlined in DCFS Rule 385.

This notification is in compliance with the IL "Job Opportunities for Qualified Applicants Act" HB5701 Enrolled LRB098 186 10 JLS 55483 b (effective Jan 1, 2015)

Section 15. Employer pre-screening.

(a) An employer or employment agency may not inquire about or into, consider, or require disclosure of the criminal record or criminal history of an applicant until the applicant has been determined qualified for the position and notified that the applicant has been selected for an interview by the employer or employment agency or, if there is not an interview, until after a conditional offer of employment is made to the applicant by the employer or employment agency.

(b) The requirements set forth in subsection (a) of this Section do not apply for positions where:

- (1) employers are required to exclude applicants with certain criminal convictions from employment due to federal or State law;
- (2) a standard fidelity bond or an equivalent bond is required and an applicant's conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such a bond, in which case an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; or
- (3) employers employ individuals licensed under the Emergency Medical Services (EMS) Systems Act.

(c) This Section does not prohibit an employer from notifying applicants in writing of the specific offenses that will disqualify an applicant from employment in a particular position due to federal or State law or the employer's policy.

The YMCA of Springfield serves and provides care for children for which the YMCA receives government reimbursement (CCAP). This program is administered by code through DCFS which outlines specific criminal offenses which disqualify a person from employment with the YMCA of Springfield due to its status as a CCAP child care provider.

All employees and those who have been offered employment are subject to background checks for child abuse, child neglect, criminal convictions (county, state and national), sex offenses and are subject to fingerprinting.



If you have been included in the Illinois Sex Offender Registry or convicted of committing or attempting to commit any of the criminal offenses under the Criminal Code of 2012 [720 ILCS 5, et al.] listed on pages 4 - 6 of this document, or under any earlier Illinois criminal law or code or offense in another state, the elements of which are similar and bear a substantial relation to any of the criminal offenses listed on pages 4 - 6 of this document, your employment or offer of employment will be rescinded immediately when either (i) the disqualifying criminal matter becomes known to the YMCA, or (ii) the YMCA is notified by DCFS of said disqualifying criminal matter – whichever comes first. Persons who knowingly apply for employment with the YMCA, accept an employment offer, have a disqualifying criminal matter on their record, and subsequently have their employment terminated are considered to have committed misconduct, of which the applicant hereby stipulates to be a deliberate and willful violation of the YMCA rules and policies.

DCFS has a formal appeal process to consider waiving certain offenses. Any appeal or challenge to a failed result is the employee or applicant’s personal responsibility. Any reconsideration for hire or rehire would not occur without written and notarized notice on the reporting agency’s letter head detailing concern, the request for appeal and documenting your record has been cleared or the offense has been waived and is no longer considered disqualifying.

If you are offered employment with the YMCA of Springfield you will be asked to complete a consent to background check form. With the completion of this form you are indicating your intention to proceed with the hiring/employment process and that you have read and understand all information regarding criminal convictions, disqualifying convictions and the background checks which are required for employment with the YMCA of Springfield. If for any reason you do not want to continue this process, you may decline the employment offer. You are not required to supply a reason. We would simply thank you for your interest.

The following is the form you would complete. On the pages following you will find a list of the disqualifying offenses.

I do want to continue with the employment process and I will complete the information below.

___ (initial) ___ (date)

Question: Have you ever been convicted of a crime, pled no contest, had adjudication withheld, or have any charges pending?

Please note:

- The background check is detailed and will reveal traffic offenses. Please disclose all guilty or criminal convictions no matter how minor they might seem to you.
- **You are not obligated to disclose expunged juvenile records of adjudication or arrest.**
- A conviction will not necessarily bar employment. The YMCA may consider the nature, date and circumstances of the offenses. One of the core values of the YMCA is honesty. Failure to fully disclose even a minor offense would be viewed with concern and may end the employment process.

Answer: Yes___ No___

If yes, please provide a date, location, charges and a complete explanation of all offenses.



Next, you will be asked to read the following statement and sign.

- I authorize investigation of all statements contained in this form and in my application for employment as may be necessary for the YMCA of Springfield to make an employment decision.
- I certify that the facts and information set forth in this document are true and complete to the best of my knowledge.
- I understand that any falsification, misrepresentation, or omission of facts on my application, resume, and any attachments or additional required documents will be cause for the denial of employment or immediate termination of employment, regardless of how or when it was discovered.

Employment Disqualifying Convictions for Employment with the YMCA of Springfield, IL (DCFS Rule 385)

If a record check reveals a felony conviction for child abuse or neglect, for spousal abuse for a crime against children, or for a crime involving violence, including rape, sexual assault or homicide but not including other felony convictions for physical assault or battery.

Or

If there is a felony conviction for physical assault, battery or a drug-related offense committed within the past 5 years. [20 ILCS 505/5(v-1) and (v-2)]

Additionally, convictions of committing or attempting to commit any of the listed offenses or an offense in any jurisdiction where the elements of which are similar to and bear a substantial relationship to any of the offenses listed.

To Challenge Background Checks Results

- A. Challenges to CANTS findings must be made in writing to:
Dept. of Children & Family Services
State Central Register
406 E. Monroe - **Station #30**
Springfield, IL 62701
- B. Challenges to criminal history findings must be made in writing to:
Illinois State Police Division of Administration
Bureau of Identification
260 North Chicago Street
Joliet, Illinois 60432
- C. Challenges to sex offender registry information must be made in writing to:
Illinois State Police Division of Administration
Bureau of Identification
260 North Chicago Street
Joliet, Illinois 60432



DISQUALIFYING CRIMINAL MATTERS

Homicide

Murder	Solicitation of murder	Solicitation of murder for hire
Intentional homicide of an unborn child	Voluntary manslaughter of an unborn child	Involuntary manslaughter
Reckless homicide	Concealment of a homicidal death	Involuntary manslaughter of an unborn child
Reckless homicide of an unborn child	Drug induced homicide [225 ILCS 10/4.2(b)]	

Kidnapping and Related Offenses

Kidnapping	Aggravated kidnapping	Aggravated unlawful restraint
Forcible detention	Child Abduction	Aiding and abetting child abduction
Harboring a runaway [225 ILCS 10/4.2(b)]		

Sex Offenses under Article 11 of the Criminal Code of 1961 or 2012, except offenses described in Sections 11-7, 11-8, 11-12, 11-13, 11-35, 11-40 and 11-45

Indecent solicitation of a child	Indecent solicitation of an adult	Public indecency
Sexual exploitation of a child	Custodial sexual misconduct	Presence within school zone by child sex offenders
Approaching, contacting, residing, or communicating with a child within a public park zone by child sex offenders	Sexual relations within families	Prostitution
Soliciting for a prostitute	Soliciting for a juvenile prostitute	Solicitation for a sexual act
Pandering	Keeping a place of prostitution	Keeping a place of juvenile prostitution

Sex Offenses under Article 11 of the Criminal Code of 1961 or 2012, except offenses described in Sections 11-7, 11-8, 11-12, 11-13, 11-35, 11-40 and 11-45 (cont'd)

Patronizing a prostitute	Patronizing a minor engaged in prostitution	Pimping
Juvenile pimping	Exploitation of a child	Obscenity
Child pornography	Harmful material	Tie-in sales of obscene publications to distributors
Posting of identifying information on a pornographic internet site [720 ILCS 5/Art. 11]		



Bodily Harm

Heinous battery	Aggravated battery with a firearm	Aggravated battery of a child
Tampering with food, drugs, or cosmetics	Hate crime	Stalking
Aggravated stalking	Threatening public officials	Home invasion
Vehicular invasion	Drug induced infliction of great bodily harm	Criminal sexual assault
Aggravated criminal sexual assault	Predatory criminal sexual assault of a child	Criminal sexual abuse
Aggravated sexual abuse	Criminal transmission of HIV	Criminal abuse or neglect of an elderly or disabled person
Child abandonment	Endangering the life or health of a child	Ritual mutilation
Ritualized abuse of a child	Any violation of the Methamphetamine Control and Community Protection Act [20 ILCS 646] [225 ILCS 10/4.2(b)]	Child abuse or neglect (felony conviction only)
Spousal abuse (felony conviction only)	Crime against children not otherwise named herein (felony conviction only)	Felony aggravated assault
Vehicular endangerment	Felony domestic battery	Aggravated battery
Heinous battery	Aggravated battery of a senior citizen	Intimidation
Compelling organization membership of persons	Abuse and gross neglect of a long term care facility resident	Felony violation of an order of protection

Offenses Affecting Public Health, Safety, and Decency

Felony unlawful use of weapons	Aggravated discharge of a firearm	Reckless discharge of a firearm
Unlawful use of metal piercing bullets	Unlawful sale or delivery of firearms on the premises of any school	Disarming a police officer
Obstructing justice	Concealing or aiding a fugitive	Armed violence
Felony contributing to the criminal delinquency of a juvenile		



Drug Offenses

Possession of more than 30 grams of cannabis	Manufacture of more than 10 grams of cannabis	Cannabis trafficking
Delivery of cannabis on school grounds	Unauthorized production of more than 5 grams of cannabis sativa plants	Calculated criminal cannabis conspiracy
Unauthorized manufacture or delivery of controlled substances	Controlled substance trafficking	Manufacture, distribution or advertisement of look-alike substances
Calculated criminal drug conspiracy	Street gang criminal drug conspiracy	Permitting unlawful use of a building
Delivery of controlled, counterfeit, or look-alike substances to persons under age 18, or at truck stops, rest stops, or safety rest area, or on school property	Using, engaging or employing persons under 18 to deliver controlled, counterfeit, or look-alike substances	Delivery of controlled substances
Sale or delivery of drug paraphernalia	Felony possession, sale or exchange of instruments adapted for use of a controlled substance or cannabis by subcutaneous injection	Felony possession of a controlled substance [225 ILCS 10/4.2(b-1)]

Data or Financial Information Access Conviction under Criminal Code of 2012 – ONLY applicable to applicants with access to confidential financial information or who submit documentation to support billing

Financial institution fraud under Section 17-10.6	Identity theft under Section 16-30	Financial exploitation of an elderly person or a person with a disability under Section 17-56
Computer tampering under Section 17-51	Aggravated computer tampering under Section 17-52	Computer fraud under Section 17-50
Deceptive practices under Section 17-50	Forgery under Section 17-3	State benefits fraud under Section 17-6
Mail fraud and wire fraud under Section 17-24	Theft under Section 16-1(1.1) through (11) [225 ILCS 10/4.2.2(b-1.5)]	