

1 UNIVERSITY COUNTERPROPOSAL

2 6-25-13

3 ARTICLE 42

4 CRIMINAL RECORDS CHECKS

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7 **Section 1.** The University Administration may require a state or nationwide criminal records
8 check for any bargaining unit member when required by federal -or state law or regulation, or
9 when the bargaining unit faculty member:

10
11 (a) Has direct access to persons under 18 years of age (~~not including university students under~~
12 ~~18~~) or to student residence facilities because the person's work duties require the person to be
13 present in the residence facility;

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15 (b) Is providing information technology services and has control over, or access to, information
16 technology systems that would allow the person to harm the information technology systems or
17 the information contained in the systems;

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19 (c) Has ~~broad and extensive~~ access to information, the disclosure of which is prohibited by state
20 or federal laws, rules or regulations or information that is defined as confidential under state or
21 federal laws, rules or regulations (~~except for the specific purposes of teaching and academic~~
22 ~~advising~~);

23
24 (d) Has direct access to hazardous chemicals and materials and other ~~items~~ substances controlled
25 by state or federal laws or regulations;

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27 (e) Has access to laboratories, nuclear facilities or utility plans to which access is restricted in
28 order to protect the health or safety of the public;

29
30 (f) Has fiscal, financial aid, payroll or purchasing responsibilities as one of the person's primary
31 responsibilities; or

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33 (g) Has access to personal information about employees or members of the public including
34 Social Security numbers, dates of birth, driver license numbers, medical information, personal
35 financial information or criminal background information.¹

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37 **Section 2.** For the purpose of requesting a state or nationwide criminal records check, the
38 University Administration may require the fingerprints of a bargaining unit member.

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40 **Section 3.** A bargaining unit member will cooperate with the University Administration in the
41 conduct of a criminal records check. Failure to cooperate may result in -disciplinary action
42 pursuant to Article 18 of this Agreement.

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2 | **Section 4.** The University Administration will pay for criminal records checks requested by the
3 University.
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5 **Section 5.** A bargaining unit member may be subject to discipline based on the results of a
6 criminal records check pursuant to Article 18 of this Agreement.
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8 **Section 6.** A bargaining unit member must provide written notice to the Provost or designee
9 within 10 days of being convicted of charged with any crime involving moral turpitude, official
10 misconduct, or dishonesty, or with, official misconduct or dishonesty, or with a including any
11 felony under state or federal law .
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