

STATE OF CONNECTICUT
DEPARTMENT OF MENTAL RETARDATION
Human Resources
ADVISORIES

Advisory No. **II-D-Ad-2**

Issue Date: March 15, 2001

Subject: **Employment Screening and Initiation of Work** Effective Date: July 1, 2001

Designated Area of Responsibility: **Human Resources**

Signatory: _____, Commissioner
Peter O'Meara

A. Purpose

In ideal circumstances, no newly hired employee should begin work until all employment screening has been completed. In less than ideal circumstances, the employer must weigh the importance of having an available worker against the importance of full and complete screening. In all circumstances the employer must make reasonable effort to obtain screening results before permitting a new employee to work, especially in unsupervised settings.

The purpose of this advisory is to promulgate the following specific guidelines which represent the department's expectations for all public and private sector agencies that provide services to department clients or their families:

1. No new employee should work directly with consumers or their families until the employer has initiated all required screenings and reviews.
2. No new employee should work directly with consumers or their families until the employer has made a reasonable effort to obtain the results of the required screenings and reviews.
3. No new employee may work directly with consumers or their families if the employer has reasonable cause to believe that the results of employment screening or review will disqualify the employee from continued employment.
4. The employer must notify any new employee, in writing, that continued employment is contingent upon acceptable results of employment screening. Notification must include a list of the reviews and screening procedures that will be utilized, and a signed certification by the new employee that, to the best of his or her knowledge, none of the identified reviews or screening procedures will result in information that may disqualify him or her from employment.
5. The employer shall maintain, for all employees, a record that includes either:
 - a. Evidence that all required employment screening was completed prior to the employee's first day of direct care work, or
 - b. The following documentation:

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- 1) Notice to the employee that employment is contingent upon successful screening and the employee's signed certificate.
- 2) Evidence that all required employment screening was initiated prior to the employee's first day of direct care work.
- 3) Evidence that the employer made reasonable efforts to obtain the results of all required employment screening prior to the employee's first day of direct care work.

B. Applicability

This advisory shall apply to all public DMR-operated programs and private sector programs licensed or funded by the Department of Mental Retardation to provide residential, day program, and family and individual support services to clients of the department.

This advisory is **not** applicable to individual consumers (clients of DMR) who may utilize departmental resources to directly hire or contract for personal services. The department does, however, strongly recommend that consumers using self directed supports (self determination) adhere to all of the required and recommended employment practice standards issued by the department.

C. Definitions

None.

D. References

1. CGS 17a-210(a)
2. DMR Employment Practice Standards Employer Handbook