

INTERNATIONAL UNION OF OPERATING ENGINEERS

Craft-Maintenance Division State of California Unit 12
Locals 3, 39 & 501, AFL-CIO

IUOE Unit 12 Fights Back Against EDD Background Checks - March 22, 2018

On March 15th we had our second meeting with EDD and CalHR representatives regarding their proposed Background Investigation Policy.

What EDD wants to do is implement a background check policy whereby ten of our IUOE Unit 12 members in the Sacramento Area would be subject to criminal background checks and if there was any type of conviction with a nexus to their employment in the last ten years, they would be terminated from their jobs.

When asked what type of convictions would trigger a termination they told us: theft, bribery, fraud, embezzlement, moral turpitude, or crimes of violence.

EDD claims that the reason for this is due to legislation that was passed over a year ago that requires any employee who has direct or proximity access to federal tax information (FTI) to be background checked for criminal convictions.

According to the EDD representative, direct or proximity access could be viewing a computer monitor while walking past a desk, seeing certain paperwork on a desk, or moving or transporting files or file cabinets containing hard copy files with federal tax information.

We told them that this is pure nonsense. Our members work in the warehouse and/or drive trucks. Their exposure to that type of information is extremely limited, if any at all.

EDD went on to explain that each case would be reviewed on a case-by-case basis and they would look to relocate or move an employee with a questionable background to a position that has no access to FTI, if they have one available.

The Union's position on this policy is that they can go ahead and do the background checks on new hires, but existing employees need to be grandfathered in and not be subjected to this policy. This was not a term and condition of employment when they began working for EDD and it shouldn't be one now.

Steve Crouch
Director of Public Employees