

## ***Background Removal Standards for Firefighters***

**A. Honesty/Falsification - Applicants will be removed from the eligibility list for any of the following reasons:**

1. At any stage of the background investigation process, the applicant fails to disclose or acknowledge the use of any illegal drug(s), and at a subsequent stage in the process, the applicant admits to the use or purchase of an illegal drug.
2. At any stage of the background investigation process, the applicant provides substantially inconsistent responses regarding illegal drug(s) or alcohol used or purchased by the applicant.
3. At any stage of the background investigation process, the applicant fails to disclose or acknowledge any disqualifying behavior or activity on the part of the applicant, as an adult, relative to, and governed by, any of the Background Removal Standards.
4. Failure or refusal to answer or respond to oral or written questions during any phase of the selection process.
5. Failure to pass a polygraph examination or any attempt to distort the polygraph examination results.
6. Use or attempted use of political influence to secure employment.

For purposes of this standard, and Background Removal Standard H., the "use" of drugs occurs when an applicant smokes, puffs, ingests, tastes, injects, inhales, or otherwise tries, any illegal drug, including but not limited to, marijuana, cocaine, anabolic steroids, or chemical inhalants.

**B. Family History - Applicants will be removed from the eligibility list for any of the following reasons:**

1. Verified or admitted physical or emotional abuse of one's spouse, ex-spouse, child, stepchild, parent or any other relative or person with whom one lives or has a relationship within seven (7) years.
2. Non-compliance with a court order or legal contract to provide child support, alimony or other financial responsibility as determined by a finding of any court of law within five (5) years.
3. Intentional violation of any protective or temporary restraining order as determined by a court of law within seven (7) years.
4. Verified or admitted sexual abuse of one's spouse, ex-spouse, child, stepchild, parent or other relative or person with whom one lives or has a relationship.

**C. Employment - Applicants will be removed from the eligibility list for any of the following reasons:**

1. Three (3) or more terminations and/or discharges within the last five (5) years. This shall not include any terminations resulting from a business ceasing operation.
2. Discharge or resignation in lieu of discipline from any of the following positions:
  - a) Law enforcement or corrections officer,
  - b) Salaried or volunteer employee with a Fire/EMS agency, or
  - c) Health care professional.

**D. Military History - Applicants will be removed from the eligibility list for any of the following reasons:**

1. Dishonorable discharge from military service.
2. Conviction of any article of the Uniform Code of Military Justice that would be equivalent to a felony under the Ohio Revised Code (ORC).

**E. Traffic - Applicants will be removed from the eligibility list for any of the following reasons:**

1. Any conviction of vehicular homicide shall permanently eliminate an applicant from consideration.
2. OMVI:
  - a) Conviction within the past five (5) years, or
  - b) More than one (1) OMVI conviction as an adult, or
  - c) More than two (2) OMVI convictions, if one (1) conviction was as a juvenile.
3. Four (4) moving violations in the past three (3) years as an adult.
4. At the time of the interview or polygraph, the applicant does not possess a valid driver's license and auto insurance as required by the residence state and if the applicant owns a car.
5. One (1) revocation or suspension of driver's license as an adult, in effect during the past three (3) years, due to points violation, Financial Responsibility Act violation or by a court.

- F. Gambling - The term "gambling offense" shall include any activity defined as gambling by a federal, state, local statute or ordinance in the jurisdiction where the activity occurred. Applicants will be removed from the eligibility list for any of the following reasons:
1. Conviction of a gambling offense, within the last five (5) years.
  2. Admission to gambling that has resulted in an unstable financial or credit history within the last seven (7) years.
  3. Conviction of or admission to engaging in the promotion of illegal gambling activity wherein the applicant gains a financial benefit.
- G. Criminal Activity - Applicants will be removed from the eligibility list for any of the following reasons:
1. Any theft offense as an adult, within the last five (5) years, or a combination of adult theft offenses which exceeds \$500.00.
    - a) This standard includes theft of cable TV service(s), if the theft occurred in the last two (2) years.
  2. Any pattern of theft offenses from an employer as an adult.
  3. Any fraudulent insurance claims or fraudulent applications for welfare, workers' compensation, unemployment compensation or other public assistance programs in excess of \$500.00.
  4. Any admission or conviction of an offense as an adult defined as a felony by the federal, state, local statute or ordinance in the jurisdiction where the felony occurred. An admission of a felony offense would be disqualifying unless otherwise addressed by these standards.
  5. Any admission or conviction as a juvenile of one (1) violent felony as defined by the relevant federal, state, local statute or ordinance in the jurisdiction where the felony occurred.
  6. Any conviction of a M-1 or M-2 misdemeanor, as defined by the relevant federal, state, local statute or ordinance in the jurisdiction where the activity occurred, as an adult in the last five (5) years or more than one M-1 or M-2 conviction as an adult.
  7. Any conviction of more than one (1) M-1 or M-2 misdemeanor as defined by the relevant federal, state, local statute or ordinance in the jurisdiction where the activity occurred as a juvenile. (Does not include traffic or minor misdemeanors.)
  8. Any admission of an offense for carrying a concealed weapon within the last five (5) years if it is defined as a felony by the federal, state or local law where the offense occurred.
- H. Illegal Substances - Applicants will be removed from the eligibility list for any of the following reasons:
1. Any use or purchase of illegal drugs (except marijuana) within three (3) years before application or any time during the selection process. Illegal drugs include chemical agents/solvent-based substances and prescription drugs that were prescribed for someone other than the applicant, and for which applicant does not have a prescription, especially Schedule I, II and III drugs.
  2. Any use or purchase of marijuana within one (1) year before application or any time during the selection process.
  3. (Standard deleted June 25, 2012.)
  4. Any illegal sale of drugs of abuse, marijuana or prescriptive. If the substance was sold without profit to the applicant, the amount of the substance sold was de minimus, and the sales occurred when the applicant was a juvenile or more than five (5) years ago, then the above Rule shall be negated.

For the purposes of this standard, the "purchase" of marijuana or other illegal drugs include those purchases made by pooling of resources or money by the applicant and others for substances for their own use.

- I. Applicant non-responsiveness – an applicant shall be removed from the process for any of the following reasons:
1. Failure to appear for pre-interview/interview.
  2. Failure to appear for polygraph examination.
  3. Failure to appear for medical/stress test.
  4. Failure to appear for psychological exam.
  5. Failure to return Personal History Questionnaire or Supplemental Questionnaire, or to respond to phone calls or correspondence from Background personnel.
  6. Unable to locate at address/phone number on file.
  7. Applicant is no longer interested in employment with the Division.
  8. Failure to appear for oral board.

Unless otherwise noted, standards that reference a time frame will be calculated from the date the eligible list was established.