ARTICLE 37. CRIMINAL RECORDS CHECKS

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

(a) Has direct access to persons under 18 years of age or to student residence facilities because the person's work duties require the person to be present in the residence facility;

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

(c) Has access to information, the disclosure of which is prohibited by state or federal laws, rules or regulations or information that is defined as confidential under state or federal laws, rules or regulations;

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

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

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

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

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

Section 3. A bargaining unit member will cooperate with the University in the conduct of a criminal records check. Failure to cooperate may result in disciplinary action pursuant to Article 24 of this Agreement.

Section 4. The University will pay for criminal records checks requested by the University.

Section 5. A bargaining unit member may be subject to discipline based on the results of a criminal records check pursuant to Article 24 of this Agreement.