

CHILD CARE ORGANIZATIONS (EXCERPT)
Act 116 of 1973

722.115d Offer of employment to person at child care organization; criminal history check; current employees; cost.

Sec. 5d. (1) Before a child care organization makes an offer of employment to a person or allows a person to regularly and continuously work under contract at the child care organization, the child care organization shall perform a criminal history check on that person using the department of state police's internet criminal history access tool (ICHAT) or equivalent check on that person from the state or province of residence.

(2) If a search of the department of state police's ICHAT or equivalent check on the person from the state or province of residence reveals that the person described in subsection (1) has been convicted of a listed offense, the child care organization shall not make an offer of employment to that person or allow that person to regularly and continuously work under contract at the child care organization. If a search of the department of state police's ICHAT reveals that a current employee has been convicted of a listed offense, the child care organization shall not continue to employ that person. If a search of the department of state police's ICHAT or equivalent check on that person from the state or province of residence reveals that a person who regularly and continuously works under contract at the child care organization has been convicted of a listed offense, the child care organization shall not allow that person to regularly or continuously work under contract at the child care organization.

(3) Not later than 1 year after the effective date of the 2010 amendatory act that amended this section, the child care organization shall conduct a criminal history check on all current employees using the department of state police's ICHAT or equivalent check on the person from the state or province of residence.

(4) A child care organization may pass along the actual cost of a search of the department of state police's ICHAT or equivalent check on that person from the state or province of residence to the employee or applicant on whom the search is being performed.

History: Add. 2005, Act 133, Eff. Jan. 1, 2006;—Am. 2010, Act 379, Imd. Eff. Dec. 22, 2010.

Compiler's note: For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Popular name: Act 116

Popular name: Child Care Licensing Act