

Safety Concerns Didn't Justify Blanket Criminal Background Check Policy



A union challenged a hospital's policy of conducting criminal background checks on registered nurses, arguing that it was an intrusive invasion of privacy. The hospital argued that the checks were necessary for the safety of staff and patients. An arbitrator ruled that the policy was unreasonable as applied to RNs. The hospital didn't provide enough evidence justifying the blanket policy. In addition, the hospital had other, less intrusive options for addressing safety concerns. But the arbitrator did note that a policy requiring RNs to self-report any criminal charges and convictions would be reasonable and more appropriate [*Rouge Valley Health System v. Ontario Nurses' Association*, [2015] CanLII 24422 (ON LA), May 4, 2015].