

## ARTICLE 23-A

### LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

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**§ 750. Definitions.** For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

**§ 751. Applicability.** The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except

where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

**§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.** No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§ 753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

**§ 754. Written statement upon denial of license or employment.** At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

**§ 755. Enforcement.** 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.



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## Volunteer Agreement

A church is a body and each part of that body has gifts and talents to be used for the good of the whole body. Thank you for being willing to use your time, talents, and abilities for the glory of Jesus and the health of the Immanuel Church family.

I am volunteering to serve in the following ministry area:

- Children's Ministry
- Connection Team
- Fellowship Team
- Immanuel Cares Ministry
- Teen Ministry
- Worship Team
- Security Team
- Counting Team
- Card Ministry
- Communion Team

Seeking to reflect the good work of God, we ask you to agree to the following:

- Faithfully pray for the ministry and for myself as I seek to rely on God for strength to continue faithfully and submit myself for gospel growth in others;
- Support the leaders of my ministry area and Immanuel Church in my attitude, words, and actions;
- Strive to serve in a way that would glorify God through the level of excellence I demonstrate;
- Faithfully attend meetings and training events;
- When I am unable to fulfill my responsibility, I will seek to find someone else on the calendar to swap with and then notify the ministry leader of the change;
- Arrive no less than 15 minutes before the start of my ministry responsibility;
- Be prepared to fulfill my ministry responsibility.

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Name (Please Print)

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Signature

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Date



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## Immanuel Church

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### Children's Ministry Volunteer Application

*This application is to be completed by anyone desiring to serve within a Children's Ministry program involving the supervision or custody of minors. The information collected is used to help the church provide a safe and secure environment for the children who participate at Immanuel Church. Once collected, the information will be securely stored and accessible only to the Elders and the Director of the Children's Ministry.*

First Name: \_\_\_\_\_

Middle Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Home Address: \_\_\_\_\_

How many years have you been at your current address? \_\_\_\_\_ If less than five years, please give previous address: \_\_\_\_\_

☐ Male ☐ Female Birthday: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Social Security #: \_\_\_\_\_

☐ Married ☐ Single ☐ Divorced ☐ Widow(er) Number of Children: \_\_\_\_\_ Ages: \_\_\_\_\_

Emergency Contact (Name, Contact #, Relationship):

\_\_\_\_\_

Please List Three References: Name, Point of Contact, and Relationship (family, friend, employer)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

### **Testimony:**

Do you have a personal relationship with Jesus Christ? ☐ Yes ☐ No

Briefly describe:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How long have you attended Immanuel Church? \_\_\_\_\_

List any leadership/volunteer experience you have had with children:

\_\_\_\_\_

\_\_\_\_\_

List any training or education that has prepared you to work with children:

\_\_\_\_\_

\_\_\_\_\_

List any other Immanuel ministries in which you are involved:

\_\_\_\_\_

\_\_\_\_\_

**Check below all areas of interest:**

- |   |  |
|---|--|
| <input type="checkbox"/> Preschoolers (Babies – 2 years old)                | <input type="checkbox"/> Preschoolers (3 years old – 1 <sup>st</sup> grade)  |
| <input type="checkbox"/> Children (2 <sup>nd</sup> - 5 <sup>th</sup> Grade) | <input type="checkbox"/> Children (6 <sup>th</sup> – 12 <sup>th</sup> Grade) |
| <input type="checkbox"/> Sunday 9:00 am                                     | <input type="checkbox"/> Sunday 10:00 am                                     |
| <input type="checkbox"/> Special Events                                     |  |

The questions below are part of the process to help provide a safe and secure environment for our children. All information is held strictly confidential by the Immanuel staff. It is our desire to work with you to find a ministry that is fulfilling and suited to your strengths and experiences.

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|--|--|
| 1. Have you had any experiences that might make it difficult for you to serve with children?<br><input type="checkbox"/> Yes <input type="checkbox"/> No   | 5. Have you ever been charged with a misdemeanor or felony?<br><input type="checkbox"/> Yes <input type="checkbox"/> No  |
| 2. Have you ever been accused or convicted of the use or sale of illegal drugs?<br><input type="checkbox"/> Yes <input type="checkbox"/> No                | 6. Are you engaged in any conduct that is contrary to the teachings of the Bible?<br><input type="checkbox"/> Yes <input type="checkbox"/> No  |
| 3. Have you ever used illegal drugs?<br><input type="checkbox"/> Yes <input type="checkbox"/> No   | 7. Do you have any health issues that could place the children of Immanuel Church at risk?<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                       |
| 4. Have you ever been hospitalized, treated for, or struggled with alcohol or substance abuse?<br><input type="checkbox"/> Yes <input type="checkbox"/> No | 8. Have you ever been denied legal custody of your children in any legal proceedings including divorce, decrees, or settlements?<br><input type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered yes to any of the above questions, please explain briefly:

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