

Criminal Background Checks and Child Abuse Clearances for Employees and Volunteers

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On October 22, 2014, House Bill 435/Act 153 of 2014 was signed into law and as of January 1, 2015 the law came into effect. This law addresses new background check requirements for employees and volunteers working directly with children. The law extends beyond paid employees so that it is applicable to unpaid volunteers who are "responsible for the welfare of a child or having direct contact with children." Under Act 153, there are no exceptions for charitable organizations with 501(c)(3) status.

Going forward, Pennsylvania law will now require that prospective employees and volunteers obtain a number of different types of background checks and any employer or administrator that intentionally fails to meet the requirements of Act 153 will commit a third-degree misdemeanor. Employers and organizations that use volunteers should assure that their employees understand their reporting obligations and how to report. Barley Snyder can assist in navigating Act 153's requirements. For more information on compliance with Act 153, contact [Tim Malloy](mailto:Tim.Malloy@barley.com) at (484) 334-8371 or timmalloy@barley.com.