



September 27, 2019

Gerard Poliquin
Secretary of the Board
National Credit Union Administration
1775 Duke Street
Alexandria, Virginia 22314-3428

Re: Comments on Exceptions to Employment Restrictions Under Section 205(d) of the Federal Credit Union Act
RIN 3133-AF02

Dear Mr. Poliquin,

The Ohio Credit Union League (OCUL) welcomes the opportunity to submit comments regarding the National Credit Union Administration's (NCUA) proposed changes to its interpretive ruling and policy statement (IRPS) on the exceptions to employment restrictions codified in Section 205(d) of the Federal Credit Union Act.

OCUL represents Ohio's 261 credit unions and their more than three million members. Of those 261 credit unions, 143 are federally-chartered; 68 state-chartered, federally-insured; and, 50 state-chartered, privately-insured. Thus, a supermajority of Ohio's credit unions are directly impacted by the IRPS which seeks to clarify the expectations for when a credit union must submit an application to the NCUA Board to hire an individual convicted of any criminal offense involving dishonesty or breach of trust, or an individual that has agreed to enter into a pretrial diversion or similar program. However, for individuals who have a conviction, but their conviction is considered *de minimis*, the credit union does not have to submit an application to the NCUA Board and is able to move forward with hiring the individual. This IRPS has not been updated since 2008. OCUL appreciates NCUA modernizing this IRPS to address hiring barriers stemming from non-material convictions and to provide second chances to certain individuals.

OCUL supports the following changes:

- Expanding the second criteria of the *de minimis* offenses to generally cover an offense that was punishable by imprisonment for one year or less and/or a fine of \$2,500 or less, and those punishable by three days or less of jail time; and,
- Adding additional minor offenses which would qualify as *de minimis* offenses, such as convictions of insufficient funds checks, convictions for small-dollar, simple theft, convictions for the use of a fake identification card, and convictions for simple misdemeanor drug possession.

In summary, OCUL appreciates the agency's commitment to improving the operating and hiring environment for credit unions and their (potential and future) employees. We agree that the proposed *de minimis* items are minor and do not present a substantial risk to credit unions. Thank you for the opportunity to submit comments. If you have further questions or would like to discuss OCUL's comments in more detail, please feel free to contact us at 800-486-2917.

Respectfully,





OHIO CREDIT
UNION LEAGUE

A handwritten signature in black ink, appearing to read 'Paul L. Mercer'.

Paul L. Mercer
President

A handwritten signature in black ink, appearing to read 'Miriah Lee'.

Miriah Lee
Regulatory Counsel



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