

S U M M A R Y

This proposed ordinance amends Chapter 13 of the 1984 Detroit City Code, *Civil Service and Personnel Regulations*, Article I, *In General*, by adding Division 3 *Criminal Conviction Question*, Sections 13-1-10 and 13-1-11, to provide that the City of Detroit may inquire or consider the criminal conviction of City of Detroit employment applicants only after the applicant has been selected for an interview; and to list exceptions to the prohibition.

BY COUNCIL MEMBERS KENNETH V. COCKREL, JR. AND KWAME KENYATTA:

AN ORDINANCE to amend Chapter 13 of the 1984 Detroit City Code, *Civil Service and Personnel Regulations*, Article I, *In General*, by adding Division 3 *Criminal Conviction Question*, Sections 13-1-10 and 13-1-11, to prohibit when the City of Detroit inquires or considers the criminal convictions of City of Detroit employment applicants; and to list exceptions to the prohibition.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 13 of the 1984 Detroit City Code, *Civil Service and Personnel Regulations*, Article I, *In General*, be amended by adding Division 3, *Criminal Conviction Question*, Sections 13-1-10 and 13-1-11, to read as follows:

CHAPTER 13. CIVIL SERVICE AND PERSONNEL REGULATIONS

ARTICLE I. IN GENERAL

DIVISION 3. CRIMINAL CONVICTION QUESTION

1 **Sec. 13-1-10. Prohibition on criminal conviction question for City of Detroit**
2 **employment applicants.**

3 Except as specified in this division, the City of Detroit shall not inquire into or
4 consider the criminal conviction of City of Detroit employment applicants, until the applicant
5 is being interviewed and/or otherwise qualified by the City.

6 **Section 13-1-12. Exceptions to the prohibition on criminal conviction question for City**
7 **of Detroit employment applicants.**

- 1 This division does not limit the right of the City to:
- 2 (a) Conduct criminal conviction background checks on applicants for positions
- 3 where there is a statutory duty to do so, including asking if there is a criminal conviction on
- 4 City of Detroit employment applications for those positions only;
- 5 (b) Otherwise take into consideration a potential employee's criminal conviction
- 6 during the hiring process.
- 7 (c) Notify applicants that laws and City policies will disqualify an individual with
- 8 a particular criminal conviction from employment in particular positions based on the
- 9 requirements of those positions.

Section 2. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 3. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. In the event that this ordinance is passed by a two-thirds (2/3) majority of the City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-116 of the 1997 Detroit City Charter. Where this ordinance is passed by less than two-thirds (2/3) majority of the City Council Members serving, it shall become effective no later than thirty (30) days after enactment in accordance with Section 4-115 of the 1997 Detroit City Charter.

Approved as to form:

Krystal A. Crittendon
Corporation Counsel