



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

BOARD MATTER **Supervisor Catherine M. Hudgins**

September 23, 2014

Ban the Box

Background:

Many job applications ask applicants if they have ever been convicted of a crime. Ex-offenders must check the box “Yes.” Far too often the “yes” response automatically disqualifies job applicants with a prior conviction, with no further consideration, or interview.

The goal of the “Ban the Box” campaign is to eliminate questions about criminal history from job application *form*, as a means of increasing the chances that an applicant will be judged more holistically, reach the interview stage, and hopefully be more likely to be hired. The employer is still able to inquire about criminal history, but just at a later stage in the process.

Fairfax County is compliant in practice with regard to ban-the-box. For most positions, a question on criminal record is not asked on the initial application. Public Safety positions are an exception, and often do ask such a question. For certain sensitive positions, criminal background investigations are required *after* a conditional offer of employment is made (and this requirement is made known to applicants early in the process).

- Ten States have “banned the box” on Government job applications (including Washington, D.C. and Maryland).
- Over 50 cities in the United States have adopted the same measure for City Government jobs.
- Five cities in Virginia have “banned the box” for City Government jobs: Richmond, Newport News, Portsmouth, Norfolk, and Petersburg.

Proposed Action:

I move that the Board of Supervisors immediately refer Ban the Box policies at the state level, to the Legislative Committee to review for consideration in the county’s 2015 Legislative Program.

Further, I move that this item be referred to the Personnel Committee for staff analysis and recommendations regarding the practices of current county contractors relative to

criminal record questions on job applications. The recommendations would evaluate necessity of the questions and feasibility of requiring removal of the questions on initial applications.

Lastly, I move that staff explore how Fairfax County can publicly join the list of jurisdictions that have banned-the-box.